
REPORT
of the
PROCEEDINGS OF THE
JUDICIAL CONFERENCE OF THE
UNITED STATES

MARCH 16-17, 1970

WASHINGTON, D.C.

1970

**ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS**

**William E. Foley
Acting Director**

REPORT
of the
PROCEEDINGS OF THE
JUDICIAL CONFERENCE OF THE
UNITED STATES

MARCH 16-17, 1970

WASHINGTON, D.C.

1970

THE JUDICIAL CONFERENCE OF THE UNITED STATES, 28 U.S.C. 331

§ 331. JUDICIAL CONFERENCE OF THE UNITED STATES

The Chief Justice of the United States shall summon annually the chief judge of each judicial circuit, the chief judge of the Court of Claims, the chief judge of the Court of Customs and Patent Appeals, and a district judge from each judicial circuit to a conference at such time and place in the United States as he may designate. He shall preside at such conference which shall be known as the Judicial Conference of the United States. Special sessions of the conference may be called by the Chief Justice at such times and places as he may designate.

The district judge to be summoned from each judicial circuit shall be chosen by the circuit and district judges of the circuit at the annual judicial conference of the circuit held pursuant to section 333 of this title and shall serve as a member of the conference for three successive years, except that in the year following the enactment of this amended section the judges in the first, fourth, seventh, and tenth circuits shall choose a district judge to serve for one year, the judges in the second, fifth, and eighth circuits shall choose a district judge to serve for two years and the judges in the third, sixth, ninth, and District of Columbia circuits shall choose a district judge to serve for three years.

If the chief judge of any circuit or the district judge chosen by the judges of the circuit is unable to attend, the Chief Justice may summon any other circuit or district judge from such circuit. If the chief judge of the Court of Claims or the chief judge of the Court of Customs and Patent Appeals is unable to attend, the Chief Justice may summon an associate judge of such court. Every judge summoned shall attend and, unless excused by the Chief Justice, shall remain throughout the sessions of the conference and advise as to the needs of his circuit or court and as to any matters in respect of which the administration of justice in the courts of the United States may be improved.

The conference shall make a comprehensive survey of the condition of business in the courts of the United States and prepare plans for assignment of judges to or from circuits or districts where necessary, and shall submit suggestions to the various courts, in the interest of uniformity and expedition of business.

The conference shall also carry on a continuous study of the operation and effect of the general rules of practice and procedure now or hereafter in use as prescribed by the Supreme Court for the other courts of the United States pursuant to law. Such changes in and additions to those rules as the Conference may deem desirable to promote simplicity in procedure, fairness in administration, the just determination of litigation, and the elimination of unjustifiable expense and delay shall be recommended by the Conference from time to time to the Supreme Court for its consideration and adoption, modification or rejection, in accordance with law.

The Attorney General shall, upon request of the Chief Justice, report to such conference on matters relating to the business of the several courts of the United States, with particular reference to cases to which the United States is a party.

The Chief Justice shall submit to Congress an annual report of the proceedings of the Judicial Conference and its recommendations for legislation.

TABLE OF CONTENTS

REPORT OF THE PROCEEDINGS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES, MARCH 16-17, 1970

	Page
Call of the Conference.....	1
Report of the Director of the Administrative Office of the United States	
Courts.....	3
Federal Judicial Center.....	3
New Director.....	4
Election of Board Member.....	4
Judicial Panel on Multidistrict Litigation.....	5
Judicial Appropriations.....	5
Jurisdiction of Conference Committees.....	6
Committee on Court Administration.....	6
Financial Reporting.....	6
Public Report.....	7
Judicial Reform Act of 1969.....	9
Additional Divisions and Places of Holding Court.....	10
Hearing Examiners.....	11
Supporting Personnel.....	11
Clerks of court.....	11
Secretaries to judges.....	11
Crier-secretary.....	12
Court criers.....	12
Interpreters.....	12
Librarians.....	12
Secretary-law clerk.....	12
Reporter-secretary.....	12
Additional Judgeships.....	13
Legislative Matters.....	13
Division of Jurisdiction Between the State and Federal Courts.....	14
Code of Professional Responsibility.....	14
Committee on the Administration of the Criminal Law.....	15
Expedition of Criminal Cases.....	15
Appeal by a Defendant Following Entry of a Guilty Plea.....	16
Review of Sentences.....	16
Criminal Appeals Act.....	16
Bail Reform Act.....	16
Institute for Continuing Studies of Juvenile Justice.....	17
Expediting Trials.....	17
Control of Weapons.....	18
Organized Crime Legislation.....	18
Drug Legislation.....	20

	Page
Committee on the Operation of the Jury System.....	20
Juror Utilization.....	20
Model Jury Instructions.....	21
Other Matters.....	21
Committee on Bankruptcy Administration.....	21
Salaries and Arrangements for Referees.....	21
Referee-Magistrate Positions.....	23
Fees in Asset and Arrangement Cases.....	24
Vacancies in Referee Positions.....	26
Guidelines for Chapter XIII.....	26
Fees of Receivers and Trustees.....	27
Committee on the Administration of the Probation System.....	27
Sentencing Institute.....	27
Residential Community Treatment Centers.....	27
Protection of Probation Officers.....	28
United States Corrections Service.....	28
Work Requirement for Probationers.....	28
Committee on Intercircuit Assignments.....	29
Committee on Trial Practice and Technique.....	29
Habeas Corpus Petitions by State Prisoners.....	29
Committee to Implement the Federal Magistrates Act.....	30
Magistrate Positions.....	30
Salaries of Magistrates.....	30
Administrative Regulations.....	31
Committee on Rules of Practice and Procedure.....	31
Criminal Rules.....	31
Rules of Evidence.....	32
Appellate Rules.....	32
Admiralty Rules.....	32
Committee to Implement the Criminal Justice Act.....	33
Appointments and Payments.....	33
Guidelines.....	33
Impact of the Federal Magistrates Act.....	34
Recommendations for Revision of Criminal Justice Act Plans as may be Required by the Enactment of the Federal Magistrates Act.....	35
Prepermission of Terms of Courts of Appeals.....	36
Release of Conference Action.....	37
Appendix: Number, Locations, and Salaries of United States Magistrates Authorized by the Judicial Conference of the United States.....	39

Report of the Proceedings of the Judicial Conference of the United States

MARCH 16-17, 1970

The Judicial Conference of the United States convened on March 16, 1970, pursuant to the call of the Chief Justice of the United States, issued under 28 U.S.C. 331, and continued in session on March 17. The Chief Justice presided and the following members of the Conference were present:

District of Columbia Circuit:

Chief Judge David L. Bazelon

Chief Judge Edward M. Curran, District of Columbia

First Circuit:

Chief Judge Bailey Aldrich

Judge Edward T. Gignoux, District of Maine

Second Circuit:

Chief Judge J. Edward Lumbard

Chief Judge Sidney Sugarman, Southern District of New York

Third Circuit:

Chief Judge William Henry Hastie

Judge Wallace S. Gourley, Western District of Pennsylvania

Fourth Circuit:

Chief Judge Clement F. Haynsworth, Jr.

Chief Judge Walter E. Hoffman, Eastern District of Virginia

Fifth Circuit:

Chief Judge John R. Brown

Chief Judge Joe Ewing Estes, Northern District of Texas

Sixth Circuit:

Chief Judge Harry Phillips

Chief Judge Carl A. Weinman, Southern District of Ohio

Seventh Circuit:

Chief Judge Luther M. Swygert

Chief Judge Robert A. Grant, Northern District of Indiana

Eighth Circuit:

Chief Judge Martin D. Van Oosterhout

Chief Judge Roy W. Harper, Eastern District of Missouri

Ninth Circuit:

Chief Judge Richard H. Chambers

Chief Judge Fred M. Taylor, District of Idaho

Tenth Circuit:

Chief Judge Alfred P. Murrah

Chief Judge Arthur J. Stanley, Jr., District of Kansas

Court of Claims:

Chief Judge Willson Cowen

Court of Customs and Patent Appeals:

Chief Judge Eugene Worley

Senior Judges John S. Hastings and Albert B. Maris, Circuit Judges Robert A. Ainsworth, Jr., George C. Edwards, Jr., Irving R. Kaufman, and Edward A. Tamm; Associate Judges Giles S. Rich and Phillip B. Baldwin of the Court of Customs and Patent Appeals; and Judges William E. Doyle, William B. Jones, and Edward Weinfeld attended all or some of the sessions.

The Honorable Earl Warren, former Chief Justice of the United States, greeted the Conference and spoke briefly about its work and achievements.

The Honorable Tom C. Clark, Associate Justice of the Supreme Court of the United States, Retired, presented a report to the Conference concerning the activities of the Federal Judicial Center.

Mr. William E. Foley, Acting Director of the Administrative Office of the United States Courts; and Mr. William R. Sweeney and Mr. Joseph F. Spaniol, Jr., Assistant Directors, were also in attendance.

Mr. Ernest C. Friesen, Jr., former Director of the Administrative Office, who resigned to become the Executive Director of the Institute for Court Management, addressed the Conference briefly on the establishment of the Institute and its plans for training court executives for both state and federal court systems.

RESOLUTION

The Conference, upon being advised of the resignation of Mr. Friesen as Director of the Administrative Office, adopted the following resolution:

The Judicial Conference of the United States expresses to Ernest C. Friesen, Jr. its gratitude and appreciation for his dedicated and skillful service as Director of the Administrative Office of the United States Courts and wishes for him success and great satisfaction as he undertakes his new office as Executive Director of the Institute for Court Management. His exceptional ability as a lawyer and an administrator and the bold and innovative character of his mind, so constantly exhibited in his direction of the Administrative Office, will find an even broader field of useful employment in the organization and direction of a new national institution for the professional training of skilled court administrators to serve federal and state courts throughout the nation.

REPORT OF THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

Mr. William E. Foley, Acting Director of the Administrative Office of the United States Courts, reported to the Conference on the business of the United States courts during the first half of the fiscal year 1970.

Mr. Foley indicated that during the half-year period from July 1 through December 31, 1969, there was a 14 percent increase in the number of appeals docketed in the United States courts of appeals. During this period there were 5,600 appeals filed compared with 4,908 appeals filed during the same period the previous year. While appeals disposed of also increased, the number terminated was more than 1,000 less than the number filed and the number of pending appeals increased to 8,894, compared with 7,540 pending a year ago.

In the United States district courts civil cases filed during the 6-month period increased 15 percent over the similar period last year. Total civil cases filed were 42,361 compared with 36,705 filed a year ago. Criminal case filings increased to 18,740 during the half-year period, up 12 percent from the 16,719 filed during the same period a year ago. Civil cases disposed of were 4,000 less than the number filed and the number pending on December 31, 1969 climbed to 90,392—a new record high. Criminal cases disposed of were 1,500 less than filings and the number of criminal cases pending on December 31, 1969, exceeded 20,000.

The increase in civil case filings in the district courts during the first half of the fiscal year resulted primarily from large increases in civil suits under Title III of the Narcotic Addict Rehabilitation Act of 1966, the Civil Rights Act, and petitions by persons confined in state and federal penal institutions. The increase in criminal cases results largely from an increase in the number of auto theft cases and in the prosecution of violations involving the rules and regulations governing weapons and firearms.

FEDERAL JUDICIAL CENTER

Mr. Justice Clark, Director of the Federal Judicial Center, reported to the Conference on the operation of the Center from October 1969 to March 1970. He noted that the budget for the fiscal year 1970 was finally approved at \$600,000, double the previous year. Justice Clark reported on the adoption of the individual cal-

endar system in several district courts, the programs being carried on in the courts of appeals designed to expedite the disposition of cases, various research projects undertaken by the Center, and the education and training programs recently conducted, including a seminar for newly appointed United States district judges and two seminars for judges of the United States courts of appeals. He also described several innovative projects in which the Center was engaged and gave a report on publications and special activities.

NEW DIRECTOR

The Chief Justice announced that Chief Judge Alfred P. Murrah of the United States Court of Appeals for the Tenth Circuit had been selected by the Board to be the new Director of the Federal Judicial Center succeeding Justice Tom C. Clark. Judge Murrah will assume his new duties very shortly. The Conference thereupon adopted the following resolution:

Gratefully and with affection and respect, the Judicial Conference of the United States salutes Mr. Justice Tom C. Clark as he retires from his office as the first Director of the Federal Judicial Center. Blending wisdom, innovative imagination and practicality, he has quickly transformed the concept of a Federal Judicial Center into a useful and effective instrumentality for stimulating, supporting, organizing, and administering important study, research and action projects, all calculated to improve the functioning of the courts of the United States. It is a measure of the stature of Justice Clark and the confidence he inspires that he quickly won and mobilized the wholehearted support of Congress and the Executive, as well as the Judiciary. Whatever the Federal Judicial Center may accomplish in the future, its success will continue to be attributable in large measure to the sound and confidence-inspiring beginning of this enterprise under the direction of Justice Clark.

ELECTION OF BOARD MEMBER

The Conference was advised that the 2-year term of Judge William A. McRae, Jr. of the Middle District of Florida as a member of the Board of the Federal Judicial Center would terminate on March 28. Upon recommendation of a special committee appointed by the Chief Justice to propose a successor, the Conference elected Judge Gerhard A. Gesell of the United States District Court for the District of Columbia to a 4-year term as a member of the Board commencing March 28. The Conference extended its appreciation to Judge McRae for the service which he rendered to the Center and to the judiciary as a member of the Board during the last 2 years.

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

Chief Judge Alfred P. Murrah, Chairman of the Judicial Panel on Multidistrict Litigation, reported on the transfer of cases by the panel during the period July 1 through December 31, 1969.

Judge Murrah stated that during this period the Panel transferred 173 civil actions from one district to another for coordinated or consolidated pretrial proceedings, bringing to 540 the total number of transfers made by the Panel since the enactment of the new law, 28 U.S.C. 1407. The 173 cases transferred include 135 so-called tag-along cases filed after the original transfers made by the Panel. The other 38 cases involve seven new groups of multidistrict litigation.

The Conference discussed various problems that have arisen in regard to the filing of class actions pursuant to Rule 23, Federal Rules of Civil Procedure. It was recommended that a study be made of class actions, particularly in regard to the amount of lawyers' fees and the improper solicitation of cases. In this regard, the attention of the Conference was directed to a new local rule of court adopted in the United States District Court for the Northern District of Texas relating to class actions.

JUDICIAL APPROPRIATIONS

Chief Judge Carl A. Weinman, Chairman of the standing Committee of the Conference on the Budget, presented a brief oral report to the Conference on the status of the appropriations bill for the fiscal year ending June 30, 1971. The Conference was informed that the hearings on the bill had been completed in the House of Representatives and that a report by the Appropriations Committee would be made in due course.

The Conference approved the making of a request for a supplemental appropriations for the fiscal year 1971 in such amount as may be necessary to finance the establishment of the United States magistrate positions which were approved by the Conference at this session. The Committee was authorized to request such an appropriation.

JURISDICTION OF CONFERENCE COMMITTEES

Chief Judge J. Edward Lumbard, Chairman of a special committee appointed to consider guidelines relating to the jurisdiction of committees of the Judicial Conference and jurisdiction and procedures for Conference action on legislative proposals and other matters on which Conference action is requested, reported the view of the Committee that no purpose would be served by attempting to define the jurisdiction of the committees of the Conference beyond the description contained in the report of the Committee on Committees which was approved by the Conference at its September 1968 session (Conf. Rept., p. 43). The Committee suggested that any question regarding jurisdiction and action by the Conference might best be determined by an executive committee of the Conference to be appointed by the Chief Justice.

After a full discussion the Conference approved the recommendation of the Committee and authorized the Chief Justice to appoint a standing committee of the Conference, to be called the Executive Committee, to consist of as many members as he may determine. The Executive Committee would be charged with the following duties:

To advise upon any question relating to the jurisdiction of the committees of the Conference and determine such question between meetings of the Conference;

To determine whether any matter not considered and reported upon by a committee of the Conference should be considered by the Conference. If the Executive Committee is of the view that such matter should be referred to a committee before presentation to the Conference, then such matter shall not be considered by the Conference, prior to a committee report thereon, except upon a three-fourths vote of the members of the Conference;

To consult with the Chief Justice at his request.

COMMITTEE ON COURT ADMINISTRATION

Judge Robert A. Ainsworth, Jr., Chairman of the Committee on Court Administration, presented the Committee's report.

FINANCIAL REPORTING

Judge Ainsworth reported to the Conference that pursuant to the resolution of November 1, 1969 (Conf. Rept., p. 52), a proposed financial statement, together with a procedure for its implementation was transmitted to all Federal judges with a request for

their comments. These comments, as well as the Conference resolution of November 1, 1969 (Conf. Rept., p. 51), concerning reports with respect to compensation for nonjudicial services, were considered by a subcommittee of the Committee on Court Administration. He advised that his Committee, after consideration and discussion of the subcommittee's report, recommended to the Conference a new reporting form which would require that all Federal judges, including judges in senior status performing some judicial services, report every 6 months, commencing with the period ending June 30, 1970, for the preceding 6 months, as to monies received from extrajudicial services, gifts, payments of excess expenses, positions held in business or other organizations and participation in cases where the judge had any financial interest. He said that the Committee recommended that copies of these reports be filed within 30 days after the end of the reporting period with the Review Committee of the Judicial Conference, now chaired by Judge Edward A. Tamm; with the judicial council of the circuit, or the appropriate court; and with the office of the clerk of court of which the judge is a member, where they will be made available to the public immediately.

The Conference after considering these recommendations voted its approval of them and adopted the reporting form set forth below:

PUBLIC REPORT

For 6-month period ending _____, 197—

**STATEMENT OF EXTRAJUDICIAL SERVICES, GIFTS, EXCESS EXPENSE
REIMBURSEMENT, PARTICIPATION IN CASES, AND POSITIONS HELD
DURING REPORTING PERIOD**

Name _____
 Judicial position _____
 Court _____
 Official address _____

I. EXTRAJUDICIAL SERVICES

- A. State your total income for all extrajudicial services performed by you, including lecturing, teaching, writing, serving as a trustee, executor or director, and all other services performed by you. (If none, write "None.")
- B. As to any such income from a single source in excess of \$100, list and describe separately the services rendered, specifying the amount of time spent on each matter and the compensation received for each matter.

II. GIFTS

List and describe separately each gift received by you or your spouse or any member of your immediate family in your household during the period which had a value in excess of \$100. Gifts received from a member of your immediate family (e.g., parents, spouse, children and siblings) may be excluded. For each gift, state the donor and your best estimate of its value. (If none, write "None.")

III. EXCESS EXPENSE REIMBURSEMENT

List and describe separately all reimbursements for your nonfederal expenses which exceeded the actual out-of-pocket cost of those expenses, including any such excess reimbursement which was paid to members of your family or staff who were accompanying you. For each instance, state the source and the amount of the excess reimbursement. (If none, write "None.")

IV. PARTICIPATION IN CASES

- A. Have you participated in the hearing or decision of any case, knowing at the time of such participation that you, your spouse, or any member of your immediate family in your household had a financial interest in any of the named parties? If so, state the name of the case, the nature and amount of the interest, the amount in issue in the case, and the reasons why you deemed it proper to participate. (If none, write "None.")

Note: This statement relating to "participation" is in terms of "knowingly participated" for the following reason: The Conference recognizes that because of the existence of many mutual and diversified investment funds, large conglomerates and trusts having a wide range of investments and affiliates, there may be cases in which a "named party" may own interests in a corporation, but which ownership is not known to the judge who (or whose spouse or family member in his household) may also be a stockholder of such corporation. The Conference recognizes that without knowledge of such stock ownership by the party, the judge's action could not be affected by this fact. Thus, the report to be made under this requirement relates only to the "knowing" participation by the judge. In this paragraph IV the term "party" does not include the U.S. government.

- B. Have you engaged in any transaction involving the securities or other property of a party to a case while that case was pending before you? If so, for each such transaction state the name of the case, the nature and amount of the transaction, the amount in issue in the case, and any explanation you may wish to make. (If none, write "None.")
- C. Have you participated in the hearing or decision of any case at a time when you knew that your spouse or any member of your immediate family in your household was an officer or employee of any named party in the case? If so, state the name of the case and why you deemed it proper to participate. (If none, write "None.")

V. POSITIONS HELD DURING REPORTING PERIOD

- A. List all positions held by you in any organization, business or charitable, such as an officer, director or trustee, regardless of whether any compensation was received therefor. (If none, write "None.")
- B. List all other fiduciary positions, such as trustee or executor. (If none, write "None.")

* * * * *

I certify that the above statement is accurate, true and complete to the best of my knowledge and belief.

Signed _____
Date _____

Judge Ainsworth stated that his Committee recommended that no other financial reporting form be required, whether of assets and liabilities or otherwise, pending the completion of the report of the Committee of the American Bar Association which was created in 1969 to revise the standards of judicial conduct. The Conference was in agreement that it would be premature and inadvisable to suggest additional reporting pending a study of the recommendations of the American Bar Association Committee.

Judge Edward A. Tamm, Chairman of the Review Committee, reported to the Conference on the activities of his Committee and Judge William B. Jones, a member of the Interim Advisory Committee on Judicial Activities, reported on the activities of that Committee in the absence of the Chairman, Judge Elbert P. Tuttle, who was unable to be present.

JUDICIAL REFORM ACT OF 1969

Judge Ainsworth informed the Conference that all technical changes required to be made in S. 1511, 91st Congress, to amend the Judicial Survivors Annuity Act, have been made, but that the bill is still pending before the Senate Subcommittee on Improvements in Judicial Machinery.

The provisions of S. 1511 are also included in S. 1506, 91st Congress, as Title III. The provisions of Title I and Title II of S. 1506 relating to the creation of a National Commission on Judicial Disability, which were referred back to the Committee by the Conference at its session in October 1969 (Conf. Rept., p. 53), remain under study. A report will be made at the next session of the Conference.

Title V of S. 1506 would incorporate the provisions of S. 1514, 91st Congress, to provide membership of district judges on the judicial councils of the circuits. After full consideration the Conference voted unanimously to disapprove this proposed legislation.

The proposal contained in S. 1507, 91st Congress, to provide for the mandatory retirement of justices and judges at age 70 remains under consideration by the subcommittee and a report will be made at a later date.

S. 1513, 91st Congress, would amend 28 U.S.C. 294, to authorize the assignment of duties to a judge who was retired involuntarily under Section 372(b). The Committee recommended approval of the bill provided that it is amended to provide for a certificate concerning the retired judge's ability to perform judicial duties. The Conference, after full discussion, concluded that the provisions of S. 1513 are declaratory of existing law and that the bill is not needed.

ADDITIONAL DIVISIONS AND PLACES OF HOLDING COURT

H.R. 5981, 91st Congress, would transfer Madison County from the Middle District to the Northern District of Florida. The Conference was informed that the bill had been approved by the judges of the districts affected and by the Judicial Council of the Fifth Circuit. Upon recommendation of the Committee, the Conference approved the bill.

The Judicial Council of the Fifth Circuit and the judges of the Middle and Southern Districts of Florida have recommended the transfer of Lee and Charlotte Counties from the Middle District to the Southern District of Florida, and the transfer of Highlands County from the Southern District to the Middle District of Florida. Upon recommendation of the Committee, the Conference approved a draft bill submitted by the Committee and directed that it be transmitted to the Congress.

S. 2998 and H.R. 13853, 91st Congress, would provide for the holding of court at Hempstead in the Eastern District of New York. Both bills have been disapproved by the Judicial Council of the Second Circuit. The Conference, upon recommendation of the Committee, voted to disapprove the bills.

The Conference voted to take no action with respect to S. 3099, S. 3079, and H.R. 13563, 91st Congress, to provide for the holding of court at Allentown in the Eastern District of Pennsylvania pending receipt of the views of the Judicial Council of the Third Circuit.

The Judicial Council of the Fifth Circuit and the judges of the Southern District of Mississippi have approved S. 3122, 91st Congress, to provide for the holding of court at Gulfport, and S. 3255, 91st Congress, to provide for the holding of court at Natchez. The Conference voted to approve both bills, provided that the holding of court at Natchez be without cost to the United States.

HEARING EXAMINERS

H.R. 14688, 91st Congress, would redesignate hearing examiners as "administrative trial judges." The Conference at its September 1966 session (Conf. Rept., p. 40) expressed the opinion that the designation "hearing examiner" is well understood and that the proposed change would be inappropriate and confusing. The Conference was informed that the Administrative Conference of the United States at its October 1969 session disapproved the change in the title of "hearing examiner." After further consideration, the Conference reaffirmed its disapproval of this legislation.

SUPPORTING PERSONNEL

Clerks of court.—The Committee reported that requests for additional clerical positions in the offices of the clerks of the courts of appeals, which were not funded in the fiscal year 1970, have been included in the appropriations request for the fiscal year 1971, together with requests for additional positions not received in time to be included in the fiscal year 1970 appropriations bill. No request has been made in the 1971 appropriations for additional personnel in the offices of the clerks of the district courts in view of the action taken by the Conference at its last session requesting the chief judges of the district courts to submit to the Administrative Office, no later than May 1, 1970, a 5-year projection of personnel requirements. The Committee will report on the results obtained from these projections at the next session of the Conference.

Secretaries to judges.—Judge Ainsworth informed the Conference that the Subcommittee on Supporting Personnel has continued to study the question of increasing salaries of secretaries to judges. At its last meeting the subcommittee received a report indicating that 20 out of the last 25 secretaries appointed by judges received considerably more pay with the courts than they had received in their previous positions. The figures, however, represented basic pay rates and did not include bonuses and other fringe benefits normally associated with private industry. The subcommittee is currently taking steps to obtain information from the larger law firms regarding salaries paid to secretaries in metropolitan areas.

The Committee recommended, however, that the Conference endorse legislation to place the retirement annuities of secretaries to judges on the same basis as the retirement of congressional secretaries and that the Director of the Administrative Office be authorized to express the views of the Conference to the Congress. This recommendation was approved by the Conference.

Crier-secretary.—The Conference, upon recommendation of the Committee, disapproved a proposal to establish a position of crier-secretary to a district judge.

Court criers.—Judge Ainsworth reported that the Committee was of the view that Grade JSP 5 constitutes a fair and adequate compensation for the duties of the position of court crier and that no change in grade classification should be made at this time. The Conference, after full consideration, voted to approve a new classification of crier-clerk at one step higher than the present classification of court crier. To be eligible for this position the judge must certify that the crier-clerk is performing clerical duties in addition to those of court crier.

Interpreters.—Upon recommendation of the Committee, the Conference approved the establishment of the position of Spanish Interpreter in the United States District Court for the Southern District of New York.

Librarians.—The Committee reported that most of the courts of appeals have skilled personnel in charge of libraries who are either persons trained in library science, or lawyers who have for a long period of time devoted their efforts to the duties of a librarian. The Committee, accordingly, is considering the need for a reclassification of these positions to a higher grade and has requested the Subcommittee on Supporting Personnel to report on this matter at the next Committee meeting so that a definite recommendation may be made to the Conference at its next session.

Secretary-law clerk.—The Director of the Administrative Office had determined that experience as a legal secretary is not equivalent to a formal legal education and admission to the bar under the Judicial Conference qualification standards for secretary-law clerk. Upon recommendation of the Committee, the Conference approved the position taken by the Director.

Reporter-secretary.—Upon recommendation of the Committee, the Conference authorized the creation of the position of reporter-secretary to Chief Judge Fred M. Taylor of the District of Idaho.

ADDITIONAL JUDGESHIPS

The Conference was informed that the quadrennial survey of the need for additional judgeships in the United States courts of appeals is now underway and that a report will be made to the Conference at its next session.

Upon recommendation of the Committee, the Conference disapproved both the proposal to increase the number of additional judgeships recommended for the Northern District of California from two to three, and the proposal contained in H.R. 11510, 91st Congress, to provide for the appointment of an additional judgeship for the Middle District of Tennessee. The Committee had reported that there is no indication that an emergency situation exists in these districts at this time to require the consideration of district judgeship needs other than at the time of the quadrennial survey.

The Conference was advised that the House-passed version of the omnibus judgeship bill, S. 952, 91st Congress, did not contain provision for seven district judgeship positions which the Conference had recommended. The Conference, thereupon, reaffirmed its approval of these judgeships and recommended that they be restored to the bill by the Senate-House conferees.

LEGISLATIVE MATTERS

H.R. 13988, 91st Congress, would amend certain titles of the United States Code to codify recent law and improve the Code without making any substantive change in existing law. Upon recommendation of the Committee, the Conference approved the bill.

H.R. 14955, 91st Congress, would prohibit the use of the names of certain deceased servicemen unless the consent to such use is given by the next-of-kin of the servicemen. This bill appears to be a matter of legislative policy and the Conference voted to take no position with respect to it.

The Conference voted to approve in principle H.R. 4155 and H.R. 10124, 91st Congress, insofar as these bills would extend the time for filing tort actions by persons under the age of 21, imprisoned under a criminal charge, or under other legal disability at the time their claims accrue, but suggested that consideration be given to an over-all limitation on the length of time permitted for filing such claims against the United States.

Upon recommendation of the Committee, the Conference voted to take no position on H.R. 11656 and H.R. 14330, 91st Congress, to provide Federal jurisdiction for certain types of consumer class actions, since this is primarily a matter of legislative policy.

The Conference, upon recommendation of the Committee, voted to approve in principle a proposed convention, submitted by the Department of State, relating to the taking of evidence abroad in civil or commercial matters. The convention would provide for the taking of evidence abroad on a reciprocal basis.

DIVISION OF JURISDICTION BETWEEN THE STATE AND FEDERAL COURTS

The American Law Institute Study of the Division of Jurisdiction Between State and Federal Courts had previously been referred to the bench and bar with a request for comment. The Committee reported, however, that the responses to this request have been extremely limited. It was the view of the Committee that because of the nature of the proposals contained in the ALI study, a much wider comment on the part of the Federal judiciary is desirable. Accordingly, the Committee recommended that a letter be sent over the signature of the Chief Justice to the chief judge of each circuit urging serious consideration and comment on the ALI proposals in accordance with the previous request of the Conference. The Committee will give further consideration to the proposals and submit its recommendations to the Conference at a later date. This recommendation was approved by the Conference.

CODE OF PROFESSIONAL RESPONSIBILITY

The Chairman of the Special Committee of the American Bar Association to Secure Adoption of the Code of Professional Responsibility had suggested that the Conference give consideration to the adoption of the Code in the Federal courts. The Committee had noted, however, that there are a few areas in which the Code differs from the position taken by the Conference in adopting the report on "Free Press-Fair Trial" at its September 1968 session (Conf. Rept., p. 66). The Committee recommended that the Administrative Office examine the Code and point out any differences that may exist between the Code and the Free Press-Fair Trial report, and that thereafter the Director of the Administrative Of-

vice notify all judges that the Conference has noted the promulgation of the new ABA Code, and recommends that district and circuit courts review their local rules in light of the new Code, noting, however, the report of the Administrative Office as to those portions of the Code which may differ from Conference-approved policy.

COMMITTEE ON THE ADMINISTRATION OF THE CRIMINAL LAW

Judge George C. Edwards, Jr., Chairman of the Committee on the Administration of the Criminal Law, presented the report of the Committee.

EXPEDITION OF CRIMINAL CASES

Judge Edwards informed the Conference that lists of criminal cases pending in the district courts more than one year as of December 31, 1969 had been distributed by the Administrative Office to the chief judges of the circuits, to the chief judges of the district courts, to the Attorney General of the United States, and to the United States attorneys in accordance with a previous resolution of the Conference (Conf. Rept., Oct. 1969, p. 62). Several inquiries and reports concerning this distribution have been received, but it is too early to tell what effect the resolution of the Conference may have on the prompt disposition of these older cases.

The Conference considered the problem of delay in the preparation of transcripts in criminal cases for purposes of appeal and voted to adopt the following resolution:

The Conference declares that the highest priority should be given to the preparation of transcripts in criminal cases and to effect this policy requests the judicial council of each circuit to promulgate and file with the Administrative Office of the United States Courts appropriate circuit plans for districts within the circuit, giving preference to, and otherwise expediting preparation of transcripts in all criminal cases where they are necessary.

The Conference also requested its Committee on Rules of Practice and Procedure to give consideration to amendments to the Federal Rules of Appellate Procedure to include measures for the expeditious disposition of appeals which are jurisdictionally defective or which present questions which are so insubstantial as not to need further argument.

APPEAL BY A DEFENDANT FOLLOWING ENTRY OF A GUILTY PLEA

Judge Edwards reported that the Committee had circularized to the chief judges of the district courts a proposal to permit an appeal by a defendant in a criminal case from the denial of his motion to suppress evidence, or for the return of seized property, provided a guilty plea was entered. The response was favorable. The Conference discussed the proposal at length and voted to recommit the proposal to the Committee and to the Advisory Committee on the Federal Rules of Criminal Procedure for further study.

REVIEW OF SENTENCES

Judge Edwards informed the Conference that the bill, H.R. 6188, 91st Congress, to provide for the appellate review of sentences, had been referred to a subcommittee for study in accordance with the action by the Conference at its last session (Conf. Rept., p. 63). A further report will be made at the next session of the Conference.

CRIMINAL APPEALS ACT

The Bureau of the Budget had requested the views of the Conference on a proposal of the Department of Justice to amend 18 U.S.C. 3731, by striking out the list of specific instances in which an appeal by the United States is permitted and substituting general language permitting an appeal by the United States in all cases from a judgment or order dismissing an indictment or information or terminating a prosecution in favor of a defendant (except in a case of acquittal). Upon recommendation of the Committee the Conference approved the proposed legislation.

BAIL REFORM ACT

Judge Edwards reported that the Committee has before it two additional bills relating to bail reform on which the views of the Conference had been requested by Senator Ervin. In view of previous Conference action on similar bills, the Committee made no further recommendation for Conference action at this time.

INSTITUTE FOR CONTINUING STUDIES OF JUVENILE JUSTICE

The Judiciary Committee of the House of Representatives had requested the views of the Conference on H.R. 14950, 91st Congress, to amend Title 18 of the United States Code by adding a new Chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice. While there appeared to be no objection to the bill, the Conference agreed that this subject is a matter on which the Conference has no recommendation to make.

EXPEDITING TRIALS

The Judiciary Committee of the House of Representatives also requested the views of the Conference on H.R. 14822, 91st Congress, which is a bill to assist in reducing crime by requiring speedy trials of persons charged with violations of federal criminal laws, and for other purposes. Title I of this bill would require that trials be commenced within 120 days, or in cases of crimes of violence, within 60 days. Sanctions in the nature of the dismissal of the indictment or information, or a criminal contempt proceeding against the defendant or his counsel, could be imposed. It was brought to the attention of the Conference that the new administrative procedure requiring a review by the district courts of cases pending more than one year had just begun and that favorable results are anticipated. Upon recommendation of the Committee the Conference disapproved Title I of the bill.

Title II would amend the Bail Reform Act to authorize pretrial supervision of a person charged with a crime of violence as may be necessary to assure the safety of others or the community. The supervision would be conducted by a United States marshal or other organization designated by the court. The bill would also provide for the establishment, on a demonstration basis, in five districts and the District of Columbia, of a pretrial services agency to provide supportive services to defendants under the Bail Reform Act. Upon recommendation of the Committee the Conference approved only so much of this title as relates to pretrial services agencies and specifically endorses such agencies for establishment and funding by Congress.

CONTROL OF WEAPONS

Judge Edwards informed the Conference that the Judiciary Committee of the House of Representatives had requested its views on H.R. 5583, 91st Congress, which is a bill to amend Title 18, United States Code, to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce. The Conference voted to approve the bill.

ORGANIZED CRIME LEGISLATION

The Conference was informed that the Judiciary Committee of the House of Representatives had requested its views on the Senate-passed bill, S. 30, 91st Congress, relating to the control of organized crime in the United States. Upon recommendation of the Committee the Conference separately considered each title of the bill.

Title I contains provisions relating to the procedures and functions of federal grand juries which were previously disapproved by the Conference (Conf. Rept., Oct. 1969, p. 67).

Title II would make uniform a large number of immunity statutes. Its provisions are substantially identical to those contained in H.R. 11157, 91st Congress, which was approved by the Conference at the October 1969 session (Conf. Rept., p. 64). Upon recommendation of the Committee the Conference reaffirmed its approval of this proposal.

Title III would authorize the commitment of a recalcitrant witness who refuses to testify. The Conference approved the recommendation of the Committee disapproving this proposal as unnecessary in that the normal powers of the court are sufficient to deal with the recalcitrant witness who has been accorded immunity. This title would also prohibit the interstate flight by a witness who is to appear before a State investigating agency. It was the view of the Committee that this provision would place an excessive burden on Federal law enforcement officials and would have a great potential of abuse, unless it was restricted to the area of organized crime. Upon recommendation of the Committee, the Conference approved the proposal only to the extent that it applies to investigations of organized crime.

Title IV would provide criminal penalties for making false declarations in any proceeding before any court or grand jury of the United States. It was the view of the Committee that the language of the bill would have greater clarity if the words "false statements of material fact" were substituted for "materially false declarations." The Conference agreed with the suggestion of the Committee and approved this title of the bill with the suggested amendment.

Title V provides for special housing facilities for the protection of government witnesses. The Conference voted to make no recommendation with respect to this proposal.

Title VI would provide for the taking of depositions in criminal cases. It was the view of the Conference that depositions fall within the rule-making function and should not be made the subject of legislation. Accordingly, the subject matter of this title was referred to the Advisory Committee on the Federal Rules of Criminal Procedure for its consideration.

Title VII, relating to litigation concerning sources of evidence, would, among other things, exclude objections to evidence of an event on the grounds that such evidence was unlawfully obtained or given under compulsion and grant of immunity if the unlawful acts or the compulsion and immunity occurred more than 5 years before the event. The Conference discussed the proposal, but voted to take no position with respect to it.

Title VIII would provide penalties for syndicated gambling. The Conference voted to take no position with respect to the provisions of this title.

Title IX would amend the Criminal Code to include a new chapter relating to racketeer-influenced and corrupt organizations. The Committee recommended that the various sections of the Chapter be approved except the proposed Section 1966 relating to the expedition of actions, and Section 1967 relating to evidence, the latter on the basis that it would require all depositions and other ancillary civil proceedings to be open to the public. This recommendation was approved by the Conference.

Title X would provide special sentencing procedures for habitual or dangerous offenders. After full discussion the Conference voted to approve the principle of special sentencing for dangerous offenders, but was of the view that provisions of this nature

should be the subject of over-all legislation dealing with sentencing and should not be included in a special statute.

The Conference voted to make no recommendation on the proposed Section 3578 to establish a federal depository for conviction records.

DRUG LEGISLATION

Judge Edwards brought to the attention of the Conference S. 3246, 91st Congress, which is the so-called "Controlled Dangerous Substances Act of 1969." The Conference discussed the bill, but voted to take no action with respect to it at this time.

COMMITTEE ON THE OPERATION OF THE JURY SYSTEM

Judge Irving R. Kaufman, Chairman of the Committee on the Operation of the Jury System, presented the report of the Committee. Judge Kaufman informed the Conference that most of the items in the report of the Committee were informational and did not require action by the Conference at this time. Two items, however, did require action by the Conference.

JUROR UTILIZATION

The Committee recommended that the Conference authorize distribution to the district courts of a report, prepared in the Administrative Office, which describes the operation of a "jury pool" and makes suggestions concerning its use. Judge Kaufman described the heavy cost of operating the jury system in the district courts, which has resulted in large part from the recent increase in the per diem of jurors, and discussed the need for an efficient use of the time of jurors. The Conference discussed the recommendation and approved distribution of the report on the jury pool formula to all district courts.

The Conference also authorized the resumption of the use of the J.S. 11 report on juror service and the preparation of appropriate statistics on juror utilization in the various district courts, as recommended by the Committee.

MODEL JURY INSTRUCTIONS

The Committee recommended that the Conference request each chief judge of the United States courts of appeals to appoint a circuit committee to undertake a study concerning the advisability of formulating standard jury instructions for the district courts of that circuit which may be of value in making the charges to the jury on issues which commonly arise more precise and uniform. The Conference was of the view, however, that the initial basic work of preparing standard jury instructions might best be undertaken by the Federal Judicial Center and accordingly voted to refer the matter to the Center.

OTHER MATTERS

The Committee reported that it is continuing its studies in the areas of supplemental sources of juror names, automation, a refinement in the use of periodic reporting forms to be submitted under 28 U.S.C. 1863(a), procedures on voir dire examinations, the use of voir dire questionnaires, a proposal to reduce the number of peremptory challenges allowable in criminal cases, juror relations and accommodations, juror utilization and juror education.

COMMITTEE ON BANKRUPTCY ADMINISTRATION

Judge Edward Weinfeld, Chairman of the standing Committee of the Conference on Bankruptcy Administration, presented the report of the Committee.

SALARIES AND ARRANGEMENTS FOR REFEREES

Judge Weinfeld reported that the Committee had considered the recommendations contained in the survey report of the Director of the Administrative Office, dated February 2, 1970, as well as the recommendations of the circuit councils and the district courts concerned, for increases in the salaries of three part-time referees, the continuance of referee positions to become vacant by expiration of term, and for changes in arrangements for referees.

On the basis of the reports and recommendations, the Conference took the following action with respect to referee positions and changes in salaries and arrangements. Unless otherwise noted, the changes are effective April 1, 1970.

SECOND CIRCUIT

Southern District of New York

- (1) Authorized the filling of the full-time referee position in New York City to become vacant by expiration of term on June 30, 1970, on a full-time basis for a term of six years, effective July 1, 1970, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

THIRD CIRCUIT

Middle District of Pennsylvania

- (1) Discontinued the two part-time referee positions at Wilkes-Barre and Harrisburg.
- (2) Authorized a full-time referee position at Wilkes-Barre at a salary of \$25,000 per annum,
- (3) Designated Wilkes-Barre, Scranton, Williamsport, Harrisburg and Lewisburg as places of holding court for the full-time referee at Wilkes-Barre.
- (4) Directed that these changes be made as soon as the district court can make the necessary arrangements.

FOURTH CIRCUIT

Southern District of West Virginia

- (1) Authorized the filling of the full-time referee position at Charleston to become vacant by expiration of term on May 31, 1970, on a full-time basis for a term of six years, effective June 1, 1970, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

FIFTH CIRCUIT

Northern District of Georgia

- (1) Authorized the filling of the full-time referee position at Atlanta to become vacant by expiration of term on August 31, 1970, on a full-time basis for a term of six years, effective September 1, 1970, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

Northern District of Mississippi

- (1) Changed the regular place of office for the part-time referee from Houston to Greenville, effective July 1, 1970.

SEVENTH CIRCUIT

Southern District of Indiana

- (1) Authorized the filling of the full-time referee position at Indianapolis, to become vacant by expiration of term on August 31, 1970, on a full-time basis for a term of six years, effective September 1, 1970, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

NINTH CIRCUIT

Eastern District of California

- (1) Authorized the filling of the full-time referee position at Sacramento, to become vacant by expiration of term on June 30, 1970, on a full-time basis for a term of six years, effective July 1, 1970, at the present salary, the regular place of office, territory and places of holding court to remain as at present.

District of Hawaii

- (1) Increased the salary of the part-time referee in this district from \$13,000 to \$15,000 per annum.

District of Nevada

- (1) Increased the salary of the part-time referee at Reno from \$15,000 to \$18,000 per annum.
- (2) Authorized the filling of the part-time referee position at Reno, to become vacant by expiration of term on September 30, 1970, at a salary of \$18,000 per annum, on a part-time basis for a term of six years, effective October 1, 1970, the regular place of office, territory and places of holding court to remain as at present.

District of Oregon

- (1) Increased the salary of the part-time referee at Pendleton from \$10,000 to \$12,000 per annum.
- (2) Authorized the filling of the part-time referee position at Pendleton, to become vacant by expiration of term on May 11, 1970, on a part-time basis for a term of six years, effective May 12, 1970, at a salary of \$12,000 per annum, the regular place of office, territory and places of holding court to remain as at present.

Upon recommendation of the Committee the Conference deferred action on the filling of the full-time referee position at Miami in the Southern District of Florida which will become vacant by expiration of term on September 30, 1970. The Committee was requested to report on this matter at the next session of the Conference.

REFEREE-MAGISTRATE POSITIONS

The Committee reported that it had considered proposed legislation to amend the Bankruptcy Act and the Federal Magistrates Act to permit full-time referees in bankruptcy to serve as part-time United States magistrates. The Conference was informed that at the present time there are 80 full-time referees who could devote as much as 10 percent of their time to magistrate's duties. It was the view of the Committee that it would be in the interest of good administration to give referees the opportunity to assume these ad-

ditional duties. Upon recommendation of the Committee the Conference approved in principle the draft bill which was submitted by the Committee.

The Conference also authorized the establishment of a liaison between the Committee on Bankruptcy Administration and the Committee to Implement the Federal Magistrates Act, so that there may be a mutual understanding as to which referees are to be authorized to do magistrates work, thus avoiding duplication of appointments, and so that there may be a coordination in respect to the appointment of referees as part-time magistrates.

FEES IN ASSET AND ARRANGEMENT CASES

Judge Weinfeld informed the Conference that the estimated receipts into the Referees' Salary and Expense Fund for the fiscal year 1971 would be approximately \$11 million. Estimated expenditures, however, are \$15,750,000, leaving an excess of obligations over payments of \$4,750,000. In view of this large deficit the Committee recommended that the additional fees chargeable in asset and nominal asset straight bankruptcy cases be increased by one-half of 1 percent of net realization and that the additional fees in Chapter XI cases be increased by 1 percent of debts paid or extended effective as to cases filed on or after July 1, 1970. This recommendation was approved by the Conference.

The schedule of fees and charges in asset and arrangement cases, as approved by the Conference pursuant to Section 40c(2) of the Bankruptcy Act, 11 U.S.C. 68(c)(2), now reads as follows:

I. Fees to be Charged in Asset and Nominal Asset Cases

Three percent on net realization in straight bankruptcy cases filed from July 1, 1947, to December 31, 1953, inclusive.

Two percent on net realization in straight bankruptcy cases filed from January 1, 1954, to December 31, 1956, inclusive.

Cases filed on and after January 1, 1957, through June 30, 1969, two and one-half percent on the first \$50,000 of net realization and two percent on the balance of net realization with a minimum charge of \$5.00.

Cases filed on and after July 1, 1969, through June 30, 1970, three percent on the first \$50,000 of net realization and two and one-half percent on the balance of net realization with a minimum charge of \$5.00.

Cases filed on and after July 1, 1970, three and one-half percent on the first \$50,000 of net realization and three percent on the balance of net realization with a minimum charge of \$5.00.

II. *Fees to be Charged in Arrangement Cases filed Under Chapter XI*

One and one-half percent on total obligations paid or extended in Chapter XI cases filed from July 1, 1947, to December 31, 1953, inclusive.

One percent on total obligations paid or extended in Chapter XI cases filed from January 1, 1954, through December 31, 1965.

One percent on the first \$100,000 of total obligations paid or extended in Chapter XI cases and one-half of one percent on the balance in all cases filed from January 1, 1966, through June 30, 1969.

Cases filed on and after July 1, 1969, through June 30, 1970, two percent on the first \$100,000 of total obligations paid or extended in Chapter XI cases and one-half of one percent on the balance.

Cases filed on and after July 1, 1970, three percent on the first \$100,000 of total obligations paid or extended in Chapter XI cases and one and one-half percent on the balance.

The Conference was informed that these changes in rates will increase payments into the Referees' Salary and Expense Fund by an estimated \$1 million annually.

Upon recommendation of the Committee, the Conference authorized the Director of the Administrative Office to prepare a draft of an amendment to Section 40 of the Bankruptcy Act (11 U.S.C. 68), and related sections, to abolish the self-supporting bankruptcy system in accordance with the policy adopted by the Conference at its October 1969 session (Conf. Rept., p. 76).

VACANCIES IN REFEREE POSITIONS

Judge Weinfeld informed the Conference that as vacancies have occurred in referee positions in the district courts where there has been a substantial decrease in new filings, the judges of the court have been urged to defer new appointments so long as the remaining referees are able to handle the bankruptcy business of the district. At the present time the filling of seven referee positions located in six different districts has been deferred on this basis. It was the view of the Committee that a statement of approval of this procedure would be desirable. Upon recommendation of the Committee the Conference thereupon approved the following statement of policy:

The Conference approves the policy of deferring the filling of vacancies in referee positions, particularly those occurring by resignation, retirement or death, whenever it appears that the remaining referees of the district can handle the business of the bankruptcy court with dispatch.

GUIDELINES FOR CHAPTER XIII

The Committee reported that it had been informed by the Bankruptcy Division of the Administrative Office that several Chapter XIII trustees are personally or financially interested in "debt counselling" or "pro-rater" activities. At least one trustee actively and openly solicits debt counselling business through advertisement in the classified section of the local telephone directory. It is the general practice of "pro-raters" to take their fees from payments made by the debtor before any distribution is made to creditors.

It was the view of the Committee that such activity on the part of Chapter XIII trustees represents a serious conflict of interest and should be prohibited. Upon recommendation of the Committee the Conference adopted the following resolution as an additional guideline for the administration of Chapter XIII cases.

Resolved, That it is the sense of the Conference that no Chapter XIII trustee should perform the duties of, or have financial interest in, debt counselling or pro-rating. If any person who is related by affinity or consanguinity within the degree of first cousin to the Chapter XIII trustee is engaged in debt counselling or pro-rating in the integral commercial area, the trustee shall file an affidavit with the bankruptcy court that he has no financial interest, directly or indirectly, in such enterprise.

FEES OF RECEIVERS AND TRUSTEES

The Committee reported that a number of requests have been received for consideration of increases in the compensation of receivers and trustees fixed by Section 48 of the Bankruptcy Act (11 U.S.C. 76). The rates of compensation have not been changed since 1956 and some referees have reported increasing difficulty in obtaining the services of competent trustees. The Committee has directed the Bankruptcy Division of the Administrative Office to consider the problem and report to the Committee at its next meeting.

COMMITTEE ON THE ADMINISTRATION OF THE
PROBATION SYSTEM

Chief Judge Walter E. Hoffman, Chairman of the Committee on the Administration of the Probation System, presented the report of the Committee.

SENTENCING INSTITUTE

The Conference at its October 1969 session (Conf. Rept., p. 78) approved the holding of a circuit sentencing institute in the Ninth Circuit during the Spring of 1970 with the understanding that the agenda for the institute would be submitted at the next session of the Conference. A proposed agenda for such an institute to be held May 8-9, 1970 at Phoenix, Ariz. had previously been submitted to the Committee. Upon the Committee's recommendation the Conference approved the agenda and authorized the convening of the institute in accordance with the statute, 28 U.S.C. 334.

RESIDENTIAL COMMUNITY TREATMENT CENTERS

S. 3261, 91st Congress, would amend Title 18 of the United States Code to authorize the Attorney General to admit to residential community treatment centers persons who are placed on probation, released on parole, or mandatorily released from federal institutions. The bill is identical to H.R. 10511, 90th Congress, approved by the Conference at its September 1967 session (Conf. Rept., p. 82) and H.R. 2175, 91st Congress, approved by the Conference in March 1969 (Conf. Rept., p. 27). Upon recommendation of the Committee the Conference approved the bill.

PROTECTION OF PROBATION OFFICERS

The Committee submitted to the Conference a draft bill which would amend Title 18 of the United States Code to provide for the protection of United States probation officers. The bill would amend 18 U.S.C. 1114 by making it a crime to kill a probation officer who is engaged in the performance of his official duties, or on account of the performance of his official duties. Similar legislation had previously been considered and approved by the Conference. Upon recommendation of the Committee the Conference approved the proposal and instructed the Director of the Administrative Office of the United States Courts to transmit the proposed legislation to the Congress.

UNITED STATES CORRECTIONS SERVICE

Judge Hoffman reported that H.R. 11823, 91st Congress, would in part create a United States Corrections Service in the Department of Justice, remove from court control the supervision of persons on probation, and place that responsibility under the jurisdiction of the Attorney General. In this respect the bill is similar to bills previously considered and disapproved by the Conference. Upon recommendation of the Committee the Conference voted to reaffirm its opposition to placing the probation service under the jurisdiction and control of the Department of Justice and voted to disapprove H.R. 11823 to the extent that it differs from this policy.

Upon recommendation of the Committee the Conference reaffirmed its approval of an amended draft of S. 916, 91st Congress, which would make changes within the correctional organization of the Department of Justice and would provide a strengthened corrections council, but would not divide or dislocate the probation service. (See Conf. Repts., Mar. 1967, p. 37; Feb. 1968, p. 30; and Mar. 1969, p. 27.)

WORK REQUIREMENTS FOR PROBATIONERS

Chief Judge Roy W. Harper suggested to the Conference that a study be conducted to determine the feasibility of having the Conference adopt a resolution recommending that a person placed on probation be required to work, unless the court otherwise orders. It was the sense of the Conference that such a study should be undertaken by the Committee.

COMMITTEE ON INTERCIRCUIT ASSIGNMENTS

Chief Judge Roy W. Harper, Chairman of the Committee on Intercircuit Assignments, presented a report on the activities of the Committee from August 11, 1969 to February 1, 1970. During this period the Committee recommended 29 intercircuit assignments to be undertaken by 26 judges. Of this number, 3 are circuit judges in regular active service, 3 are senior circuit judges, 7 are district judges in regular active service, and 10 are senior district judges. There were two assignments of active judges of the Customs Court and one assignment of a senior judge of the Court of Claims. There were 7 assignments made to the United States courts of appeals; 7 assignments to the United States Court of Customs and Patent Appeals; and 15 assignments to the United States district courts.

COMMITTEE ON TRIAL PRACTICE AND TECHNIQUE

Chief Judge Joe E. Estes, Chairman of the Committee on Trial Practice and Technique, submitted to the Conference sample jury instructions for use in certain civil tax cases and sample jury instructions for use in certain civil antitrust cases. These instructions are the product of the work of the Committee during the last 18 months. Upon recommendation of the Committee the Conference authorized the circulation of these sample instructions to all district judges as an aid in the preparation of jury charges.

HABEAS CORPUS PETITIONS BY STATE PRISONERS

The Committee had reported that it had considered various problems relating to the calendaring and disposition of habeas corpus cases brought on behalf of persons in custody pursuant to a judgment of a state court. It was the view of the Committee that the time limitations set out in 28 U.S.C. 2243, as applied to habeas corpus petitions by persons in custody pursuant to the judgment of a State court, are unrealistic.

It was brought to the attention of the Conference that the Advisory Committee on the Federal Rules of Criminal Procedure is now considering the formulation of special rules governing habeas corpus petitions. After full discussion the Conference directed that the matter be referred to the standing Committee on Rules of Practice and Procedure with the request that expeditious action on this matter be taken by the Committee.

COMMITTEE TO IMPLEMENT THE FEDERAL
MAGISTRATES ACT

Judge William E. Doyle, Chairman of the Committee to Implement the Federal Magistrates Act, presented the report of the Committee.

MAGISTRATE POSITIONS

Judge Doyle reported that the Committee had met and considered the recommendations contained in the survey report of the Director of the Administrative Office of the United States Courts, dated October 20, 1969, as well as the recommendations of the circuit councils and district courts concerned, for authorization to appoint full-time and part-time magistrates in the various district courts pursuant to the Federal Magistrates Act, Public Law 90-578, 28 U.S.C. 631, *et seq.* The Committee recommended that the full-time and part-time magistrate positions, recommended in the Committee's report, be approved and that the district courts be authorized to make appointments to these positions effective July 1, 1970, or as soon thereafter as appropriated funds are available. The Committee's recommendations include 61 full-time magistrate positions; 449 part-time magistrate positions; 6 combination positions of magistrate-part time referee in bankruptcy; and 2 combination positions of magistrate-clerk of court. These 518 magistrates will replace approximately 700 United States commissioner positions and 15 national park commissioner positions authorized prior to the effective date of the Magistrates Act.

After full consideration, the Conference approved the recommendations of the Committee with one adjustment in the salary of a part-time magistrate position in Puerto Rico and with the further understanding that resurveys would be made at six-month intervals in all courts where the recommendation of the Committee varied from that of the judicial councils of the circuits. The number, locations and salaries of the magistrate positions, as approved by the Conference, are set out in the Appendix.

SALARIES OF MAGISTRATES

The Committee recommended the approval of a bill, H.R. 13316, 91st Congress, which would amend the Federal Magistrates Act to increase the maximum salaries payable to full-time and part-

time magistrates to coincide with the maximum salaries payable to referees in bankruptcy. During the discussion in the Conference it was pointed out, however, that the salary range for referees in bankruptcy had been set by the Presidential Salary Commission in its report in 1968. The Conference felt that the Commission, when it next meets in 1972, should be given jurisdiction to fix the maximum salaries payable to United States magistrates. The Conference thereupon voted to take no action with respect to the legislation, thus leaving the matter for consideration by the Presidential Salary Commission.

ADMINISTRATIVE REGULATIONS

Upon recommendation of the Committee the Conference approved an amendment to the administrative regulations relating to the conduct of the pilot magistrates program, previously approved by the Conference (Conf. Rept., Mar. 1969, p. 33), which would permit part-time magistrates to make collect telephone calls under certain circumstances.

The Conference authorized the immediate release of the report of the Committee to all circuit and district judges together with a memorandum setting forth Conference action with respect to Committee recommendations.

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

Judge Albert B. Maris, Chairman of the standing Committee of the Conference on Rules of Practice and Procedure, reported that the amendments to the Federal Rules of Civil Procedure relating to depositions and discovery, which were approved by the Conference at its last session (Conf. Rept., p. 71), were transmitted to the Supreme Court on November 3, 1969 and are under consideration by the Court.

CRIMINAL RULES

Judge Maris advised the Conference that the standing Committee had authorized the publication and circulation to the bench and bar of proposed amendments to various rules of the

Federal Rules of Criminal Procedure together with five new proposed rules. The Committee has requested that comments and suggestions with respect to these proposed rules be in the hands of the Committee no later than April 1, 1971, so that proposals with respect to the rules may be reported to the Conference at its session in the Fall of 1971.

The Advisory Committee on Criminal Rules is also giving consideration to the question as to how early in the process of criminal investigation and arrest of a suspected criminal the rule-making authority of the Supreme Court comes into play. In this regard the Committee is reviewing the "Model Rules of Court on Police Action from Arrest to Arraignment" which has been published by the Council of Judges of the National Council on Crime and Delinquency. The Advisory Committee is also undertaking a study of proposed rules of procedure in habeas corpus cases and motions to vacate sentence filed in the district courts under 28 U.S.C. 2255.

RULES OF EVIDENCE

The Conference was informed that comments and suggestions from the bench and bar with respect to the draft of Uniform Rules of Evidence for the Federal Courts, circulated by the standing Committee in March 1969, are being received. The final date for their receipt is April 1, 1970. The Committee hopes to be able to report a definitive draft of uniform rules of evidence to the Conference at its Fall session in 1970.

APPELLATE RULES

The Conference was also advised that the amendments to the Federal Rules of Appellate Procedure, approved by the Conference in October 1969 (Conf. Report., p. 70), were transmitted to the Supreme Court on November 9, 1969 and are under consideration by the Court.

ADMIRALTY RULES

Judge Maris advised the Conference that the Advisory Committee on Admiralty Rules is continuing its study of the operation of the unified civil rules and the supplemental rules as they apply to maritime cases. Comments from the admiralty bar in reply to the Advisory Committee's letter are being given consideration.

COMMITTEE TO IMPLEMENT THE CRIMINAL JUSTICE ACT

Judge John S. Hastings, Chairman of the Committee to Implement the Criminal Justice Act, presented the report of the Committee.

APPOINTMENTS AND PAYMENTS

Judge Hastings presented to the Conference a cumulative report, prepared in the Administrative Office, on appointments and payments from the effective date of the Criminal Justice Act, August 20, 1965, through December 31, 1969. The report showed payments of \$12,762,665 under the Act since its inception. During the first half of the fiscal year 1970 (July 1–December 31, 1969) disbursements in the settlement of claims for services rendered on behalf of criminal defendants and appellants totaled \$2,549,040. Based on the projected volume of appointments and the average cost per case during the current fiscal year, a request for a supplemental appropriation in the amount of \$1,150,000 has been submitted.

Upon recommendation of the Committee, the Conference authorized the immediate release of this report and directed that copies be sent to all Federal judges and to the chief judges of the local courts in the District of Columbia.

GUIDELINES

The Committee had previously reported that consideration of the guidelines in implementation of the Criminal Justice Act had been postponed because of the likelihood of an early amendment of the Act and because full implementation of the Federal Magistrates Act, which may occur in 1970, makes premature any issuance of guidelines. On further reflection, however, the Committee concluded that since there is no present indication as to when or whether the Act will be amended, it would be helpful to have the views of those who are currently using the provisions of the Act on the guidelines, so that when they are subsequently revised, the Committee may have the benefit of the views and comments of judges, clerks of court and others concerned with the implementation of the Act. The Conference, upon recommendation of the Committee, authorized the distribution to all Federal judges, clerks

of court, United States commissioners and United States magistrates, and to all judges and clerks of the courts in the District of Columbia, a copy of the guidelines for the administration of the Criminal Justice Act submitted by the Committee, and further directed the Administrative Office to solicit comments and criticisms of the guidelines for the future guidance of the Committee.

IMPACT OF THE FEDERAL MAGISTRATES ACT

Judge Hastings reported that in connection with the pilot program undertaken during the past year in implementation of the Federal Magistrates Act, the Committee had been giving consideration to necessary changes in the plans originally drafted under the Criminal Justice Act to meet the requirements of the new Act. In addition, the Committee had received a communication from the Chairman of the Committee to Implement the Federal Magistrates Act requesting the advice of the Committee in two particulars:

- (1) The desirability of compensating counsel appointed to represent defendants in petty offense case, or in the alternative, the appropriate method to establish a system of uncompensated appointments in petty offense cases; and
- (2) The need to amend existing district court plans, adopted under CJA, to
 - (a) authorize appointments by magistrates rather than United States commissioners—a technical amendment, and
 - (b) permit magistrates to appoint counsel for the trial of cases before them in accordance with their new jurisdiction over certain misdemeanors.

In regard to the appointment of counsel in petty offense cases, it was the view of the Committee that inasmuch as the Criminal Justice Act expressly excludes from its coverage petty offense cases, the question of appointment of uncompensated counsel in such cases is a matter for the determination of the district courts themselves. Accordingly, the Committee made no recommendation on this matter.

In regard to the need for amending the plans adopted under the Criminal Justice Act the Committee submitted the following recommendations which were approved by the Conference:

Recommendations for Revision of Criminal Justice Act Plans as May Be Required by the Enactment of the Federal Magistrates Act:

It is recommended that each district court in implementing the Federal Magistrates Act review the plan adopted pursuant to the Criminal Justice Act and consider the following:

1. Wherever "United States commissioner" is used in a plan, the name should be changed to United States magistrate.
2. The plan adopted in implementation of the Criminal Justice Act should be examined with a view to making any changes which may be required in the light of the duties which the district court will assign to the United States magistrates in the district as a result of the delegation of duties which the court may make to a magistrate under the terms of the Federal Magistrates Act.
3. With special reference to the trial of minor offenses by United States magistrates and in order to insure that a defendant will have full representation at every stage of the proceeding against him, each plan for a district in which a magistrate will try minor offenses should contain a section captioned "Trial by United States Magistrates." It is suggested that this section should contain the following:
 - (a) Notwithstanding any other provision of this plan, in any case in which a defendant charged with a minor offense, other than a petty offense, waives a trial in the district court and appears without counsel for trial before the magistrate, he shall again advise the defendant that he has a right to be represented by counsel and that counsel will be appointed to represent him if the defendant is financially unable to obtain counsel. Unless the defendant expressly waives the appointment of counsel, the magistrate, if satisfied after making appropriate inquiry that the defendant is financially unable to obtain counsel, shall appoint counsel to represent him at the trial in accordance with the general procedure for appointing counsel set out in this plan. Assignment and compensation of counsel in petty offense cases remains a matter of court policy; the CJA excludes petty offense cases from its coverage.
 - (b) Counsel so appointed shall represent the defendant in all trial proceedings before the magistrate and through appeal to the district court and thereafter unless or until he is relieved by the magistrate or the court.
 - (c) The magistrate may, in the interest of justice, substitute one appointed counsel for another at any stage of the trial proceedings.
 - (d) If at any time after the appointment of counsel, the magistrate finds that the defendant is financially able to obtain counsel or make partial payment for the representation, he may terminate the appointment of counsel or recommend to the court that any funds available to defendant be ordered paid as provided in 18 U.S.C. 3006A (f).
 - (e) If at any stage of the trial proceedings, the magistrate finds that the defendant is financially unable to pay counsel whom he had retained or to obtain other counsel, the magistrate may appoint counsel in accordance with the general procedure set forth in this plan.

- (f) A claim for compensation and reimbursement of expenses of counsel appointed in a case tried before the magistrate shall be made to the magistrate on the prescribed CJA form. The magistrate shall examine each claim, and make a recommendation to the court as to the amount which the court should fix in accordance with the statute.
 - (g) Counsel for a defendant charged with a minor offense, other than a petty offense, to be tried before the magistrate may, in an ex parte application to the United States magistrate, request investigative, expert or other services if the defendant is financially unable to obtain them. Upon finding, after appropriate inquiry in an ex parte proceeding, that the services are necessary and that the defendant is financially unable to obtain them, the magistrate shall recommend to the court that counsel be authorized to obtain such services on behalf of the defendant. The magistrate may, in the interests of justice, and upon a finding that timely procurement of necessary services could not await prior authorization, recommend that the court ratify such services after they have been obtained. A claim for any such services shall be reviewed by the magistrate who shall make a recommendation to the judge with respect to the amount to be allowed by the court in accordance with the statute.
4. It is further recommended that, prior to the appointment of United States magistrates, each court review its CJA plan in order to correct any anomalies in the provisions which may result therefrom, such as the following:
 - (a) Some plans refer to the fact that hearings before commissioners are not recorded. These should be changed in the light of 18 U.S.C. 3060 which now provides for recording of preliminary examinations before magistrates and 18 U.S.C. 3401 which provides for the recording of trials of minor offenses before United States magistrates.
 - (b) Provisions relating to the creation, transferring and custody of records should be reviewed to be certain that the magistrate should retain custody of papers in minor offense cases, other than petty offense cases, to be tried before him until the completion of trial proceedings.
 5. Courts desiring to vest full-time United States magistrates with the overall duty of appointing counsel and supervising the maintenance of lists or panels of attorneys available for appointment under CJA should consider adding specific provisions to their plans.

PRETERMISSION OF TERMS OF COURTS OF APPEALS

At the request of Chief Judge Clement F. Haynsworth, Jr., the Conference, pursuant to 28 U.S.C. 48, consented to the pretermis-
sion of the term of the Court of Appeals for the Fourth Circuit, to
be held in Asheville, N.C. in June 1970.

At the request of Chief Judge Martin D. Van Oosterhout, the
Conference, pursuant to 28 U.S.C. 48, consented to the pretermis-
sion of the terms of the Court of Appeals for the Eighth Circuit
during the calendar year 1970 at places other than at St. Louis, Mo.

RELEASE OF CONFERENCE ACTION

The Conference authorized the immediate release of its action on matters considered at this session where necessary for legislative or administrative action.

For the Judicial Conference of the United States.

WARREN E. BURGER,
Chief Justice of the United States.

APRIL 30, 1970.

Appendix

*Number, Locations, and Salaries of United States Magistrates Authorized by the
Judicial Conference of the United States*

District	Location	Number of positions	Type of position	Salary	Duties to be dele- gated by the district court ¹
<i>DISTRICT OF COLUMBIA CIRCUIT</i>					
District of Columbia	District of Columbia	2	Full-time	\$22,500	Full range of duties.
<i>FIRST CIRCUIT</i>					
Maine	Portland	1	Part-time	1,200	Limited duties. ²
	Bangor	1	do	600	Limited duties.
	Presque Isle	1	do	100	Do.
Massachusetts	Boston	1	Full-time	22,500	Full range of duties.
	New Bedford	1	Part-time	750	Limited duties.
	Ayer	1	do	750	Do.
	Springfield	1	do	600	Do.
	Cape Cod Seashore	1	do	300	Do.
	Pittsfield	1	do	200	Do.
New Hampshire	Manchester	1	do	750	Do.
	Lancaster	1	do	100	Do.
Rhode Island	Providence	2	do	500	Do.
Puerto Rico	San Juan	1	do	11,000	Full range of duties.
	Aguadilla	1	do	100	Limited duties.
	Ponce	1	do	100	Do.
<i>SECOND CIRCUIT</i>					
Connecticut	New Haven	1	Full-time	20,000	Full range of duties.
	Hartford	1	Part-time	1,600	Limited duties.
	Bridgeport	1	do	750	Do.
	New London	1	do	500	Do.
New York (N)	Albany	1	do	6,500	Full range of duties.
	Auburn	1	do	5,500	Do.
	Plattsburgh	1	do	1,250	Limited duties.
	Syracuse	1	do	1,250	Do.
	Binghamton	1	do	300	Do.
	Utica	1	do	200	Do.
	Watertown	1	do	200	Do.
New York (E)	Brooklyn	2	Full-time	22,500	Full range of duties.
	Patchogue	1	Part-time	750	Limited duties.
	Mineola	1	do	500	Do.
New York (S)	New York City	5	Full-time	22,500	Full range of duties.
	Poughkeepsie	1	Part-time	3,500	Limited duties.
New York (W)	Buffalo	1	Full-time	22,500	Full range of duties.
	Rochester	1	Part-time	1,500	Limited duties.
	Niagara Falls	1	do	200	Do.
	Elmira	1	do	200	Do.
	Olean	1	do	200	Do.
Vermont	Burlington	1	do	600	Do.
	Rutland	1	do	200	Do.
	Brattleboro	1	do	200	Do.
<i>THIRD CIRCUIT</i>					
Delaware	Wilmington	1	Referee- Magistrate.	³ 1,500	Full range of duties.
	Dover	1	Part-time	500	Limited duties.
New Jersey	Trenton (also Camden and Newark).	1	Full-time	22,500	Full range of duties.
	Camden	1	Part-time	5,000	Limited duties.
	Asbury Park	1	do	5,000	Do.
	Newark	1	do	1,000	Do.
	Jersey City	1	do	750	Do.
	Atlantic City	1	do	500	Do.
	Newton	1	do	200	Do.
Pennsylvania (E)	Philadelphia	3	Full-time	22,500	Full range of duties.
	Allentown	1	Part-time	300	Limited duties.
	Reading	1	do	200	Do.
Pennsylvania (M)	Wilkes-Barre	1	do	11,000	Full range of duties.
	Harrisburg	1	do	2,000	Limited duties.
	Seranton	1	do	400	Do.
	Williamsport	1	do	300	Do.
	Lewislburg	1	do	200	Do.
Pennsylvania (W)	Pittsburgh	2	Full-time	22,500	Full range of duties.
	Erie	1	Part-time	3,300	Do.
	Johnstown	1	Referee- Magistrate.	³ 200	Limited duties.

See footnotes at end of table.

Appendix—Continued

District	Location	Number of positions	Type of position	Salary	Duties to be delegated by the district court ¹
<i>FOURTH CIRCUIT</i>					
Maryland.....	Baltimore.....	1	Full-time.....	22,500	Full range of duties.
	Greenbelt.....	1	do.....	22,500	Do.
	Baltimore.....	1	Part-time.....	11,000	Limited duties.
	Bethesda.....	1	do.....	7,600	Do.
	Salisbury (and Assa- teague Island National Seashore).	1	do.....	1,000	Do.
	Cumberland.....	1	do.....	200	Do.
	Hagerstown.....	1	do.....	200	Do.
North Carolina (E)...	Raleigh.....	1	do.....	11,000	Full range of duties.
	Fayetteville.....	1	do.....	8,000	Limited duties.
	New Bern.....	1	do.....	1,800	Do.
	Goldsboro.....	1	do.....	1,800	Do.
	Wilmington.....	1	do.....	1,500	Do.
	Elizabeth City.....	1	do.....	1,500	Do.
	Rocky Mount.....	1	do.....	1,200	Do.
	Washington or Williamston.....	1	do.....	750	Do.
	Jacksonville.....	1	do.....	600	Do.
North Carolina (M)...	Greensboro.....	1	Full-time.....	22,500	Full range of duties.
	Wilkesboro.....	1	Part-time.....	2,200	Limited duties.
	Salisbury.....	1	do.....	600	Do.
	Rockingham.....	1	do.....	500	Do.
	Durham.....	1	do.....	400	Do.
North Carolina (W)...	Asheville.....	1	do.....	11,000	Full range of duties.
	Charlotte.....	1	Referee- Magistrate.	5,000	Do.
	Bryson City (and Great Smoky Moun- tain National Park).	1	Part-time.....	4,930	Limited duties.
	Statesville.....	1	do.....	750	Do.
South Carolina.....	Columbia.....	1	Full-time.....	22,500	Full range of duties.
	Charleston.....	1	Part-time.....	2,000	Limited duties.
	Greenville.....	1	do.....	2,000	Do.
	Florence.....	1	do.....	900	Do.
	Aiken.....	1	do.....	750	Do.
	Spartanburg.....	1	do.....	750	Do.
Virginia (E).....	Norfolk.....	1	Full-time.....	22,500	Full range of duties.
	Alexandria.....	1	do.....	22,500	Do.
	Richmond.....	1	Part-time.....	11,000	Do.
	Alexandria.....	1	do.....	10,000	Limited duties.
	Petersburg.....	1	do.....	5,500	Do.
Virginia (W).....	Roanoke.....	1	do.....	3,500	Full range of duties.
	Shenandoah National Park.....	1	do.....	3,004	Limited duties.
	Galax.....	1	do.....	2,500	Do.
	Cumberland Gap National Park.....	1	do.....	1,838	Do.
	Danville.....	1	do.....	750	Do.
	Harrisonburg.....	1	Referee- Magistrate.	1,600	Do.
	Bristol.....	1	Part-time.....	500	Do.
	Charlottesville.....	1	do.....	400	Do.
	Lynchburg.....	1	do.....	200	Do.
	Winchester.....	1	do.....	100	Do.
West Virginia (N).....	Elkins.....	1	do.....	7,500	Full range of duties.
	Morgantown, Fairmont or Clarksburg.....	1	do.....	600	Limited duties.
	Wheeling.....	1	do.....	400	Do.
	Martinsburg.....	1	do.....	300	Do.
	Parkersburg.....	1	do.....	100	Do.
West Virginia (S).....	Charleston.....	1	do.....	11,000	Full range of duties.
	Huntington.....	1	do.....	1,000	Limited duties.
	Logan.....	1	do.....	900	Do.
	Bluefield.....	1	do.....	700	Do.
	Beckley.....	1	do.....	700	Do.
	Welch.....	1	do.....	700	Do.
	Lewisburg.....	1	do.....	100	Do.

See footnotes at end of table.

Appendix—Continued

District	Location	Number of positions	Type of position	Salary	Duties to be delegated by the district court ¹
<i>FIFTH CIRCUIT</i>					
Alabama (N)	Birmingham	1	Part-time	11,000	Full range of duties.
	Huntsville or Decatur	1	do	11,000	Do.
	Anniston	1	do	2,600	Limited duties.
	Florence	1	do	2,000	Do.
	Tuscaloosa	1	do	1,500	Do.
	Gadsden	1	do	1,200	Do.
	Haleyville	1	do	200	Do.
Alabama (M)	Montgomery	1	do	11,000	Full range of duties.
	Dothan	1	do	7,500	Limited duties.
	Opelika	1	do	2,000	Do.
Alabama (S)	Mobile	1	do	11,000	Full range of duties.
	Selma	1	do	1,500	Do.
Florida (N)	Pensacola	1	do	5,000	Do.
	Tallahassee	1	do	5,000	Do.
	Panama City	1	do	750	Limited duties.
	Gainesville	1	do	500	Do.
	Marianna	1	do	500	Do.
	Ft. Walton Beach	1	do	500	Do.
Florida (M)	Jacksonville	1	Full-time	22,500	Full range of duties.
	Tampa	1	do	22,500	Do.
	Orlando	1	Part-time	11,000	Do.
	Titusville	1	do	1,000	Limited duties.
	Daytona	1	do	900	Do.
	Ocala	1	do	600	Do.
	Ft. Myers	1	do	600	Do.
Florida (S)	Miami	2	Full-time	22,500	Full range of duties.
	West Palm Beach	1	Part-time	1,200	Limited duties.
	Key West	1	do	600	Do.
	Ft. Pierce	1	do	600	Do.
	Naples	1	do	600	Do.
Georgia (N)	Atlanta	1	Full-time	22,500	Full range of duties.
	Rome	1	Part-time	3,500	Limited duties.
	Gainesville	1	do	3,000	Do.
	Newnan or LaGrange	1	do	1,200	Do.
Georgia (M)	Macon	1	do	1,800	Do.
	Columbus	1	do	1,800	Do.
	Albany	1	do	1,800	Do.
	Valdosta or Thomasville	1	do	1,800	Do.
	Athens	1	do	900	Do.
Georgia (S)	Savannah	1	do	11,000	Full range of duties.
	Waycross or Brunswick	1	do	4,000	Limited duties.
	Augusta	1	do	3,000	Do.
	Dublin or Swainsboro	1	do	2,000	Do.
	Hinesville	1	do	1,500	Do.
Louisiana (E)	New Orleans	2	Full-time	22,500	Full range of duties.
	Baton Rouge	1	Part-time	11,000	Do.
Louisiana (W)	Shreveport	1	do	5,000	Do.
	Lake Charles	1	do	5,000	Do.
	Opelousas or Lafayette	1	do	3,000	Do.
	Monroe	1	do	1,000	Limited duties.
	Leesville	1	do	900	Do.
	Alexandria	1	do	750	Do.
Mississippi (N)	Oxford	1	do	6,000	Full range of duties.
	Greenville	1	do	6,000	Do.
	Tupelo	1	do	2,200	Limited duties.
	Kosciusko	1	do	1,800	Do.
	Aberdeen	1	do	1,800	Do.
	Clarksdale	1	do	1,800	Do.
Mississippi (S)	Jackson	1	do	6,000	Full range of duties.
	Biloxi	1	do	6,000	Do.
	Meridian	1	do	1,500	Limited duties.
	Vicksburg	1	do	1,200	Do.
	Hattiesburg	1	do	700	Do.
Texas (N)	Dallas	1	Full-time	22,500	Full range of duties.
	Fort Worth	1	Part-time	11,000	Do.
	Lubbock	1	do	11,000	Do.
	Amarillo	1	do	3,000	Limited duties.
	Wichita Falls	1	do	1,200	Do.
	San Angelo	1	do	500	Do.
	Abilene	1	do	500	Do.
Texas (E)	Beaumont	1	do	11,000	Full range of duties.
	Tyler	1	Referee-Magistrate.	* 3,000	Limited duties. ²
	Texarkana	1	Part-time	800	Limited duties.
	Paris	1	do	400	Do.
	Marshall	1	do	200	Do.
	Sherman	1	do	200	Do.

See footnotes at end of table.

Appendix—Continued

District	Location	Number of positions	Type of position	Salary	Duties to be delegated by the district court ¹
<i>FIFTH CIRCUIT—Continued</i>					
Texas (S)	Houston	1	Full-time	22,500	Full range of duties.
	Brownsville (also Edinburg)	1	do	22,500	Do.
	Laredo	1	Part-time	10,000	Do.
	Corpus Christi	1	do	2,400	Limited duties.
Texas (W)	San Antonio	1	Full-time	22,500	Full range of duties.
	El Paso	1	do	22,500	Do.
	Del Rio	1	Part-time	11,000	Do.
	Austin	1	do	7,500	Do.
	Big Bend National Park	1	do	6,157	Limited duties.
	Eagle Pass	1	do	3,000	Do.
	Waco	1	do	1,000	Do.
	Pecos	1	do	900	Do.
	Killeen	1	do	600	Do.
	Odessa or Midland	1	do	500	Do.
	Kerrville	1	do	500	Do.
<i>SIXTH CIRCUIT</i>					
Kentucky (E)	Lexington	1	do	11,000	Full range of duties.
	Covington	1	do	2,500	Limited duties.
	Pineville	1	do	1,800	Do.
	Pikeville	1	do	1,200	Do.
	London	1	do	1,000	Do.
	Ashland	1	do	600	Do.
	Richmond	1	do	600	Do.
Kentucky (W)	Louisville	1	Full-time	20,000	Full range of duties.
	Mammoth Cave National Park	1	Part-time	2,100	Limited duties.
	Paducah	1	do	1,800	Do.
	Owensboro	1	do	1,800	Do.
	Bowling Green	1	do	1,800	Do.
Michigan (E)	Detroit	1	Full-time	22,500	Full range of duties.
	Flint	1	Part-time	1,200	Limited duties.
	Bay City	1	do	200	Do.
Michigan (W)	Grand Rapids	1	do	1,200	Do.
	Kalamazoo	1	do	1,200	Do.
	Marquette	1	do	200	Do.
	Traverse City	1	do	100	Do.
Ohio (N)	Cleveland	1	Full-time	22,500	Full range of duties.
	Toledo	1	Part-time	2,000	Limited duties.
	Youngstown	1	do	1,500	Do.
	Akron	1	do	900	Do.
Ohio (S)	Cincinnati	1	do	11,000	Full range of duties.
	Columbus	1	do	11,000	Do.
	Dayton	1	do	3,400	Limited duties.
	Stuebenville	1	do	600	Do.
	Zanesville	1	do	600	Do.
	Portsmouth	1	do	600	Do.
	Chillicothe	1	do	400	Do.
	Springfield	1	do	300	Do.
Tennessee (E)	Chattanooga	1	do	7,500	Full range of duties.
	Knoxville	1	do	4,000	Limited duties.
	Newport	1	do	1,200	Do.
	Winchester	1	do	600	Do.
	Greenville	1	do	400	Do.
	Johnson City	1	do	400	Do.
Tennessee (M)	Nashville	1	do	11,000	Full range of duties.
	Columbia	1	do	2,400	Limited duties.
	Cookeville	1	do	800	Do.
	Clarksdale	1	do	400	Do.
Tennessee (W)	Memphis	1	do	11,000	Full range of duties.
	Jackson	1	do	1,200	Limited duties.
	Savannah	1	do	400	Do.
	Dyersburg	1	do	200	Do.
<i>SEVENTH CIRCUIT</i>					
Illinois (N)	Chicago	3	Full-time	22,500	Full range of duties.
	Rockford	1	Part-time	400	Limited duties.
Illinois (E)	East St. Louis	1	do	2,000	Full range of duties.
	Danville	1	do	1,800	Do.
	Carbondale	1	do	700	Limited duties.
	Benton	1	do	250	Do.
	Lawrenceville	1	do	250	Do.
	Effingham	1	do	250	Do.

See footnotes at end of table.

Appendix—Continued

District	Location	Number of positions	Type of position	Salary	Duties to be delegated by the district court ¹
<i>SEVENTH CIRCUIT—Continued</i>					
Illinois (S)	Rock Island	1	Part-time	2,400	Limited duties.
	Springfield	1	do.	1,200	Do.
	Peoria	1	do.	800	Do.
Indiana (N)	Alton	1	do.	200	Do.
	Hammond	1	do.	3,000	² Do.
	South Bend	1	do.	1,200	Do.
Indiana (S)	Fort Wayne	1	do.	900	Do.
	Lafayette	1	do.	300	Do.
	Indianapolis	1	Full-time	22,500	Full range of duties.
Wisconsin (E)	Evansville	1	Part-time	900	Limited duties.
	Terre Haute	1	do.	400	Do.
	New Albany	1	do.	300	Do.
	Muncie	1	do.	200	Do.
	Richmond	1	do.	200	Do.
	Milwaukee	1	do.	11,000	Full range of duties.
Wisconsin (W)	Fond du Lac	1	do.	500	Limited duties.
	Green Bay	1	do.	400	Do.
	Appleton	1	do.	300	Do.
	Racine	1	do.	100	Do.
Wisconsin (W)	Madison	1	do.	3,000	Full range of duties.
	La Crosse	1	do.	700	Limited duties.
	Eau Claire	1	do.	300	Do.
	Wausau	1	do.	200	Do.
	Superior	1	do.	100	Do.
<i>EIGHTH CIRCUIT</i>					
Arkansas (E)	Little Rock	1	do.	11,000	Full range of duties.
	Jonesboro	1	do.	1,200	Limited duties.
	Pine Bluff	1	do.	1,200	Do.
	Forrest City	1	do.	600	Do.
	Blytheville	1	do.	300	Do.
Arkansas (W)	Hot Springs	1	do.	1,500	Do.
	El Dorado	1	do.	1,500	Do. ²
	Fort Smith	1	do.	1,200	Do.
	Texarkana	1	do.	1,200	Do.
	Fayetteville	1	do.	300	Do.
Iowa (N)	Harrison	1	do.	200	Do.
	Cedar Rapids	1	do.	2,400	Full range of duties.
	Sioux City	1	do.	1,200	Do.
	Waterloo	1	do.	300	Limited duties.
Iowa (S)	Ft. Dodge	1	do.	100	Do.
	Dubuque	1	do.	100	Do.
	Des Moines	1	Clerk-Magistrate.	³ 5,500	Full range of duties.
Minnesota	Burlington	1	Part-time	2,400	Limited duties.
	Council Bluffs	1	do.	600	Do.
	Davenport	1	do.	400	Do.
	Iowa City	1	do.	100	Do.
	Minneapolis	1	do.	11,000	Full range of duties.
	St. Paul	1	do.	11,000	Do.
	Duluth	1	Referee-Magistrate.	³ 1,000	Limited duties. ²
Missouri (E)	Bemidji	1	Part-time	200	Do.
	International Falls	1	do.	200	Do.
	Marshall	1	do.	200	Do.
	Moorhead	1	do.	200	Do.
	Rochester	1	do.	200	Do.
	St. Cloud	1	do.	200	Do.
Missouri (W)	St. Louis	1	do.	7,500	Do.
	Cape Girardeau	1	do.	500	Do.
	Hannibal	1	do.	300	Do.
Nebraska	Kansas City	1	Full-time	22,500	Full range of duties.
	Springfield	1	do.	22,500	Do.
	Jefferson City	1	Part-time	600	Limited duties.
	Omaha	1	Clerk-Magistrate.	³ 3,350	Full range of duties.
Nebraska	Lincoln	1	Part-time	1,200	Limited duties.
	Scottsbluff or Gering	1	do.	500	Do.
	Grand Island	1	do.	400	Do.
	North Platte	1	do.	300	Do.
	Sidney	1	do.	200	Do.
	Valentine	1	do.	100	Do.
	Chadron	1	do.	100	Do.

See footnotes at end of table.

Appendix—Continued

District	Location	Number of positions	Type of position	Salary	Duties to be delegated by the district court ¹
<i>EIGHTH CIRCUIT—Continued</i>					
North Dakota	Minot	1	Part-time	1,200	Full range of duties.
	Bismarck	1	do	1,200	Do.
	Fargo	1	do	1,200	Do.
	Grand Forks	1	do	1,200	Do.
	Minnewaukan or Devils Lake	1	do	900	Limited duties.
	Rolla	1	do	100	Do.
	Williston	1	do	100	Do.
South Dakota	Sioux Falls	1	do	3,000	Full range of duties.
	Rapid City	1	do	2,400	Limited duties.
	Aberdeen	1	do	400	Do.
	Mobridge	1	do	400	Do.
	Winner	1	do	300	Do.
	Pierre	1	do	200	Do.
	Chamberlain	1	do	200	Do.
	Deadwood	1	do	100	Do.
<i>NINTH CIRCUIT</i>					
Alaska	Anchorage	1	do	5,000	Full range of duties.
	Fairbanks	1	do	2,500	Do.
	Nome	1	do	200	Limited duties.
	Ketchikan	1	do	200	Do.
	Juneau	1	do	200	Do.
	Kodiak	1	do	100	Do.
Arizona	Tucson (also Douglas and Nogales)	1	Full-time	20,000	Full range of duties.
	Phoenix	1	Part-time	11,000	Do.
	Grand Canyon National Park	1	do	7,972	Limited duties.
	Yuma	1	do	2,400	Do.
	Holbrook	1	do	1,700	Do.
	Kingman	1	do	1,600	Do.
	Globe	1	do	1,200	Do.
	Flagstaff	1	do	900	Do.
	Prescott	1	do	300	Do.
California (N)	San Francisco	3	Full-time	22,500	Full range of duties.
	Oakland	1	Part-time	10,000	Do.
	San Jose	1	do	6,000	Do.
	Salinas	1	do	3,600	Limited duties.
	Eureka	1	do	200	Do.
California (E)	Sacramento	1	Full-time	22,500	Full range of duties.
	Yosemite National Park	1	Part-time	7,972	Limited duties.
	Sequoia-Kings Canyon National Park	1	do	7,972	Do.
	Lassen Volcanic National Park	1	do	5,864	Do.
	Fresno	1	do	2,000	Do.
	Bakersfield	1	do	1,200	Do.
	Edwards Air Force Base (Lancaster)	1	do	1,200	Do.
	Susaville	1	do	600	Do.
	Bishop	1	do	600	Do.
	Stockton	1	do	600	Do.
	Redding	1	do	400	Do.
	Merced	1	do	300	Do.
	Yreka	1	do	300	Do.
	Modesto	1	do	300	Do.
	Alturas	1	do	300	Do.
California (C)	Los Angeles	3	Full-time	22,500	Full range of duties.
	San Luis Obispo	1	Part-time	6,000	Limited duties.
	Riverside	1	do	3,000	Do.
	Santa Ana	1	do	2,000	Do.
	Santa Barbara	1	do	1,800	Do.
	Barstow	1	do	1,200	Do.
	Long Beach	1	do	1,200	Do.
	Twentynine Palms	1	do	300	Do.
California (S)	San Diego	2	Full-time	22,500	Full range of duties.
	San Diego	1	Part-time	10,000	Limited duties.
	El Centro	1	do	8,000	Do.
Hawaii	Honolulu	1	do	1,000	Do.
	Hilo	1	do	300	Do.
	Waikuku	1	do	200	Do.
	Lihue	1	do	100	Do.

See footnotes at end of table.

Appendix—Continued

District	Location	Number of positions	Type of position	Salary	Duties to be delegated by the district court ¹
<i>NINTH CIRCUIT—Continued</i>					
Idaho.....	Boise.....	1	Part-time.....	2,000	Limited duties.
	Pocatello.....	1	do.....	2,000	Do.
	Coeur d'Alene.....	1	do.....	800	Do.
	Twin Falls.....	1	do.....	800	Do.
	Lewiston.....	1	do.....	800	Do.
Montana.....	Wolf Point.....	1	do.....	1,500	Do.
	Kalispell.....	1	do.....	500	Do.
	Missoula.....	1	do.....	350	Do.
	Cut Bank.....	1	do.....	350	Do.
	Hardin.....	1	do.....	350	Do.
	Great Falls.....	1	do.....	250	Do.
	Billings.....	1	do.....	250	Do.
	Butte.....	1	do.....	200	Do.
	Glasgow.....	1	do.....	200	Do.
	Helena.....	1	do.....	100	Do.
	Miles City.....	1	do.....	100	Do.
Nevada.....	Reno.....	1	do.....	6,600	Full range of duties.
	Las Vegas.....	1	do.....	6,500	Do.
	Elko.....	1	do.....	400	Limited duties.
Oregon.....	Portland.....	1	Full-time.....	22,500	Full range of duties.
	Crater Lake National Park.....	1	Part-time.....	3,386	Limited duties.
	Astoria.....	1	do.....	500	Do.
	Eugene.....	1	do.....	300	Do.
	Pendleton.....	1	do.....	300	Do.
	Klamath Falls.....	1	do.....	200	Do.
	Coquille.....	1	do.....	200	Do.
Washington (E).....	Spokane.....	1	do.....	4,800	Full range of duties.
	Yakima.....	1	do.....	1,200	Limited duties.
	East Wenatchee.....	1	do.....	1,200	Do.
	Ephrata.....	1	do.....	600	Do.
	Kennewick.....	1	do.....	100	Do.
	Walla Walla.....	1	do.....	100	Do.
Washington (W).....	Tacoma.....	1	Full-time.....	22,500	Full range of duties.
	Seattle.....	1	Part-time.....	7,500	Do.
	Mt. Ranier National Park.....	1	do.....	7,972	Limited duties.
	Olympic National Park.....	1	do.....	6,157	Do.
	Bellingham.....	1	do.....	500	Do.
	Vancouver.....	1	do.....	600	Do.
<i>TENTH CIRCUIT</i>					
Colorado.....	Denver.....	1	Full-time.....	22,500	Full range of duties.
	Rocky Mountain National Park.....	1	Part-time.....	6,720	Limited duties.
	Denver.....	1	do.....	6,000	Do.
	Colorado Springs.....	1	do.....	1,500	Do.
	Durango or Cortez (and Mesa Verde National Park).....	1	do.....	1,200	Do.
	Pueblo.....	1	do.....	500	Do.
	Grand Junction.....	1	do.....	400	Do.
	Monte Vista.....	1	do.....	200	Do.
	Montrose.....	1	do.....	200	Do.
Kansas.....	Kansas City.....	1	Full-time.....	22,500	Full range of duties.
	Wichita.....	1	do.....	22,500	Do.
	Junction City.....	1	Part-time.....	500	Limited duties.
	Topeka.....	1	do.....	300	Do.
	Leavenworth.....	1	do.....	200	Do.
	Lawrence.....	1	do.....	200	Do.
	Parsons.....	1	do.....	200	Do.
	Salina.....	1	do.....	200	Do.
	Hutchinson.....	1	do.....	100	Do.
	Hays.....	1	do.....	100	Do.
	Garden City.....	1	do.....	100	Do.
	Colby.....	1	do.....	100	Do.

See footnotes at end of table.

Appendix—Continued

District	Location	Number of positions	Type of position	Salary	Duties to be delegated by the district court ¹
<i>TENTH CIRCUIT—Continued</i>					
New Mexico	Albuquerque	1	Full-time	20,000	Full range of duties.
	Las Cruces	1	Part-time	11,000	Do.
	Gallup	1	do	1,000	Limited duties.
	Tucumcari	1	do	1,000	Do.
	Santa Fe	1	do	750	Do.
	Roswell	1	do	600	Do.
	Farmington	1	do	600	Do.
	Deming	1	do	600	Do.
	Alamogordo	1	do	500	Do.
	Carlsbad	1	do	300	Do.
	Raton	1	do	200	Do.
	Clovis	1	do	200	Do.
Oklahoma (N)	Tulsa	1	do	11,000	Full range of duties.
	Miami	1	do	600	Limited duties.
	Vinita	1	do	600	Do.
	Bartlesville	1	do	600	Do.
Oklahoma (E)	Muskogee	1	do	11,000	Full range of duties.
	McAlester	1	do	800	Limited duties.
	Hugo	1	do	800	Do.
	Sulphur	1	do	800	Do.
Oklahoma (W)	Oklahoma City	1	do	11,000	Full range of duties.
	Lawton	1	do	3,000	Limited duties.
	Altus	1	do	400	Do.
	Ponca City or Enid	1	do	200	Do.
Utah	Salt Lake City	1	do	11,000	Full range of duties.
	Ogden	1	do	8,500	Do.
	Cedar City	1	do	500	Limited duties.
	Provo	1	do	200	Do.
Wyoming	Yellowstone National Park	1	do	7,972	Do.
	Cheyenne	1	do	1,200	Do.
	Jackson	1	do	1,200	Do.
	Casper	1	do	300	Do.
	Lander	1	do	300	Do.
	Rawlins	1	do	200	Do.
	Laramie	1	do	200	Do.
	Kemmerer	1	do	200	Do.
	Cody	1	do	200	Do.
	Sheridan	1	do	200	Do.
	Green River	1	do	200	Do.
	Worland	1	do	200	Do.
	Gillette	1	do	100	Do.
	Douglas	1	do	100	Do.
	Torrington	1	do	100	Do.
	Evanston	1	do	100	Do.
	New Castle	1	do	100	Do.

1. The phrase "Full range of duties" means all duties authorized or delegable under the provisions of 28 U.S.C. 636. It embraces those duties authorized by section 636(a) (including the power to conduct trials of minor offenses by special designation of the district court under 18 U.S.C. 3401) and all additional duties assignable by the court under section 636(b). The phrase "Limited duties" means those duties authorized by 28 U.S.C. 636(a) (including the power to conduct trials of minor offenses by special designation of the district court).

2. The incumbent will be available to undertake occasional assignments from the district court under the provisions of 28 U.S.C. 636(b).

3. The salary indicated is in addition to compensation received for services as clerk of court or part-time referee in bankruptcy.

INDEX

	Page.
Additional judgeships.....	13
Additional personnel.....	11
Administrative Office of the U.S. Courts:.....	
Report of the Director.....	3
Administrative regulations.....	31
Admiralty rules.....	32
Appeal by defendant following entry of a guilty plea.....	16
Appellate rules.....	32
Appointments and payments under Criminal Justice Act.....	33
Bail Reform Act.....	16
Bankruptcy administration:	
Committee on, report of.....	21
Fees in asset and arrangement cases.....	24
Fees of receivers and trustees.....	27
Guidelines for Chapter XIII trustees.....	26
Referees:	
Referee-magistrate positions.....	23
Salaries and arrangements.....	21
Vacancies.....	26
Budget:	
Committee on, report of.....	5
Call of the conference.....	1
Chapter XIII trustees, guidelines for.....	26
Clark, Mr. Justice Tom C., resolution of the Conference upon his retirement as Director from the Federal Judicial Center.....	4
Corrections service, United States.....	28
Court administration:	
Additional divisions and places of holding court.....	10
Code of professional responsibility.....	14
Committee on, report of.....	6
Division of jurisdiction between state and federal courts.....	14
Financial reporting.....	6
Hearing examiners.....	11
Judicial Reform Act of 1969.....	9
Legislative matters.....	13
Supporting personnel.....	11
Courts:	
Courts of appeals:	
Additional judgeships.....	13
Clerks of court.....	11
Librarians.....	12
Statistics.....	3

	Page
Courts—Continued	
District courts:	
Additional divisions and places of holding court.....	10
Additional judgeships.....	13
Clerks of court.....	11
Court crier.....	12
Interpreter.....	12
Referee-magistrate positions.....	23
Salaries and arrangements for referees.....	21
Statistics.....	3
Vacancies in referee positions.....	26
Crime legislation, organized.....	18
Criminal Appeals Act.....	16
Criminal cases, expedition of.....	15
Criminal Justice Act:	
Appointments and payments.....	33
Committee on, report of.....	33
Guidelines.....	33
Impact of the Federal Magistrates Act.....	34
Recommendations for revision of Criminal Justice Act plans.....	35
Criminal law, administration of:	
Appeal by defendant following entry of a guilty plea.....	16
Bail Reform Act.....	16
Committee on, report of.....	15
Control of weapons.....	18
Criminal Appeals Act.....	16
Drug legislation.....	20
Expediting trials.....	17
Expedition of criminal cases.....	15
Institute for continuing studies of juvenile justice.....	17
Organized crime legislation.....	18
Review of sentences.....	16
Criminal rules.....	31
Director, election of new for Federal Judicial Center.....	4
Drug legislation.....	20
Election of Federal Judicial Center Board member.....	4
Evidence, rules of.....	32
Federal Judicial Center.....	3
Election of board member.....	4
Election of new director.....	4
Federal Magistrates Act:	
Administrative regulations.....	31
Number, locations and salaries.....	39
Committee on, report of.....	30
Impact of Act on Criminal Justice Act.....	34
Salaries of magistrates.....	30
Fees in asset and arrangement cases.....	24
Fees of receivers and trustees.....	27
Friesen, Ernest C., resolution of the Conference upon his resignation from the Administrative Office.....	2

	Page
Guidelines for Criminal Justice Act.....	33
Habeas corpus by state prisoners.....	29
Hearing examiners.....	11
Impact of the Federal Magistrates Act on the Criminal Justice Act.....	34
Institute for continuing studies of juvenile justice.....	17
Intercircuit assignments, committee on, report of.....	29
Judges:	
Additional judgeships.....	13
Crier secretary.....	12
Financial reporting of.....	6
Reporter-secretary.....	12
Secretaries to.....	11
Secretary-law clerk.....	12
Judicial appropriations.....	5
Judicial panel on multidistrict litigation.....	5
Judicial Reform Act of 1969.....	9
Jurisdiction of Conference committees.....	6
Jurisdiction, division of between State and Federal courts.....	14
Juror utilization.....	20
Jury instructions, model.....	21
Jury system, operation of:	
Committee on, report of.....	20
Juror utilization.....	20
Model jury instructions.....	21
Other matters.....	21
Legislation.....	13
Magistrates—number, locations and salaries of as authorized by the Judicial Conference (Appendix).....	39
Magistrates, salaries of.....	30
Pretermission of terms of court.....	36
Probationers, work requirements for.....	28
Probation officers, protection of.....	28
Probation system, administration of:	
Committee on, report of.....	27
Protection of probation officers.....	28
Residential community treatment centers.....	27
Sentencing institute.....	27
United States corrections service.....	28
Work requirements for probationers.....	28
Professional responsibility, code of.....	14
Public report.....	7
Release of conference action.....	37
Residential community treatment centers.....	27
Resolutions:	
Expression of affection and respect to Mr. Justice Tom C. Clark upon his retirement as Director of the Federal Judicial Center....	4
Expression of gratitude and appreciation to Mr. Ernest C. Friesen, Jr., upon his resignation as Director of the Administrative Office....	2
Revision of Criminal Justice Act plans, recommendations for.....	35

	Page
Rules of practice and procedure:	
Admiralty rules.....	32
Appellate rules.....	32
Committee on, report of.....	31
Criminal rules.....	31
Rules of evidence.....	32
Sentences, review of.....	16
Sentencing institute.....	27
Statistics.....	3
Trial practice and technique:	
Committee on, report of.....	29
Habeas corpus petitions by state prisoners.....	29
Trials, expediting.....	17
Weapons, control of.....	18